

CHAPTER 1. ACCIDENT INVESTIGATION

I. POLICY

It is the policy of the Department to respond to accidents involving death, personal injury, hit-and-run, impaired drivers, and disturbances between principals. In addition, the Department will investigate accidents resulting in property damage occurring on roadways if the damage disables one or more vehicles.

When dispatched to an accident scene, officers shall respond without unnecessary delay and in accordance with the response classification assigned by Public Safety Communications (PSC).

II. CHECKLIST

The first officer to arrive at the scene of a motor vehicle accident shall:

- ☐ Immediately check for injuries, provide first aid and summon medical assistance. Although injured parties may refuse medical attention, officers shall request an ambulance in instances where they suspect serious injury.
- ☐ Identify hazardous materials, dangerous conditions, or fire threats. Officers shall request assistance and protect the public from those threats or conditions when possible. When hazardous materials are involved, officers shall comply with the procedures detailed in VOL. II, CH. 30, HAZMAT & RADIOACTIVE MATERIALS
- ☐ Locate witnesses.
- ☐ Preserve evidence, pending a determination of investigative responsibility, for processing and analysis
- ☐ Protect involved persons and property from further injury or damage through the positioning of the police vehicle, direction of traffic, or using flares or other warning devices
- ☐ Restore traffic flow around accident scene, relieve congestion, remove involved vehicles and debris from the roadway as quickly as possible, unless investigative or rescue considerations require they be left in place. If a driver requests that a vehicle be left at the

scene, officers shall ensure the vehicle is legally parked and secured

- ☐ Ensure safekeeping of property for accident victims who are incapable of caring for their property
- ☐ Give the parties the CCN and inform them that the accident report will be available after 72 hours. Copies of the accident report may be obtained for a fee.

III. DEFINITIONS

Critical Injury: Any injury where death is expected or medical personnel believe it is probable.

Fatal Accident: Any traffic accident in which the victim dies of injuries sustained in the accident and death occurs within 30 days

Personal Injury: Any injury that is visible or obvious, or for which an involved person is transported by ambulance.

IV. FORMS

- ☐ Maryland Automated Accident Reporting System (MAA RS) Report (MSP Form #1)
- ☐ Incident Report
- ☐ Continuation Report

V. PROCEDURES

1. Accident Scene Duties

Officers shall review and comply with the duties detailed in **Section II. CHECKLIST** above. Officers may request assistance from other officers, the fire department, government agencies, or utility companies to carry out these duties.

On accidents with serious injury, officers shall contact the appropriate hospital prior to the end of watch to determine the status of injured parties to ensure that notification to the PGPD Collision Analysis and Reconstruction Unit (CARU) is not required. Officers should be aware that the Health Insurance Portability and Accountability Act of 1996 (HIPAA) prohibits healthcare providers from releasing certain patient information.

After the scene is stabilized, officers shall examine

the facts of the accident to determine whether an investigation and accident report are required. They shall base their determination on:

- ☐ Interviews of witnesses and drivers.
- ☐ Observations of vehicles and the accident scene.
- ☐ Other physical evidence.
- ☐ Status of vehicle registration and driver's licenses.

Officers shall assist involved parties in exchanging driver's license, registration, and insurance information. They shall also take time to answer questions.

Officers shall initiate a computer check on all drivers and vehicles involved in an accident even if the involved parties display valid vehicle registration and drivers licenses. If the computer system is not in service, and the license and registration validity cannot be verified, officers shall complete a MAARS report and any other required supplement reports.

An investigation and accident report are required for motor vehicle accidents involving:

- ☐ Buses with passengers (other than drivers) or any bus without passengers owned by WMATA or a government agency
- ☐ Collisions between a train and motor vehicle
- ☐ Collisions with buildings regardless of whether damage to the building is evident. Officers shall request notification to a County building inspector via PSC.
- ☐ Damage to electrical, natural gas, water, or commercial utilities
- ☐ Damage to street signs and other government fixed assets
- ☐ Departmental accidents
- ☐ Fatal accidents
- ☐ Government vehicles, or accidents alleged to have been caused by these vehicles, including vehicles of municipal, county, bi-county, and federal agencies, WMATA, or volunteer fire companies. Maryland State Police (MSP) shall investigate all accidents involving State vehicles
- ☐ Injury, visible or obvious, or for which a person involved is transported by ambulance
- ☐ Must appear traffic offenses whether or not a

citation is issued, and unregistered motor vehicles

- ☐ Issuance of a citation
- ☐ Property damage occurring on a roadway that results in disabling damage to a motor vehicle, other than flat tires
- ☐ Vehicles with valid temporary tags or transporter stickers (Note: Vehicles bearing dealer tags and recycler tags are considered registered.)

Investigations and reports are required even if vehicles have been moved before the officer's arrival. However, if any of the vehicles have left the general vicinity and cannot be examined by the officer, and information has been exchanged between the involved drivers, the incident may be cleared as CODE 309 (no report written, information exchanged), provided:

- ☐ No building was struck
- ☐ No damage occurred to electrical, natural gas, water, or commercial utilities
- ☐ No government vehicle or Town-owned fixed asset was involved
- ☐ No fatality or critical injury occurred
- ☐ No person at the scene requires ambulance transport
- ☐ No vehicle was impounded
- ☐ No hazardous materials were spilled

Officers may issue traffic citations when probable cause of a traffic law violation exists. When officers issue citations, they shall summons all involved witnesses.

2. Accident Occurred or Discovered Earlier

An officer shall not be dispatched to investigate an accident that occurred on, or was discovered on a previous date, and delay in contacting police renders investigation of no value.

3. No Parties or Vehicles Left Scene

Response of an officer is optional for accidents where all involved vehicles and persons have left the scene and there is no indication that debris or site damage poses a public hazard.

Hit and run allegations occurring on a previous date shall only be documented on an Incident

Report.

4. **Determination of Investigative Responsibility**

Usually, patrol officers will be the first units dispatched to investigate accidents. When appropriate, other personnel shall be requested to conduct the accident investigation:

- ☐ Accidents involving critical injury or death, (including Departmental accidents) shall be investigated by a PGPD accident reconstructionist (CARU) according to the current Memorandum of Understanding (MOU). Supervisors approve all requests for accident reconstructionists and may request their call-out when none are on duty
- ☐ A supervisor shall investigate accidents involving Town vehicles, except that CARU investigates fatal or critical injury accidents
- ☐ Maryland State Police (MSP) investigates accidents involving State government vehicles. If MSP is unavailable, patrol officers will investigate the accident

Accident reconstructionists may be requested to assist with any accident in which the topography of the scene, equipment defects, or other unusual circumstances are believed to be factors.

When a disagreement arises regarding a reconstructionist's response, the decision of the reconstructionist is final.

5. **Death of Victim Within 30 Days of Accident**

When an individual dies within 30 days of an accident not investigated by CARU, the investigating officer shall:

- ☐ Immediately notify the OIC, PGPD CARU.
- ☐ Provide PGPD CARU with copies of reports and other available documents associated with the accident
- ☐ Submit a CIR documenting the death and the date and time of notification to the OIC, CARU; attach a copy of the original MAARS Report to the CIR

CARU shall perform duties stipulated by their

SOP for fatal accidents, provided the time delay has not rendered such performance impractical.

6. **Uniform Crime Reporting Procedures (UCR)**

UCR procedures require a traffic death resulting from violation of traffic laws be classified as manslaughter. However, it is not necessary for anyone to be charged with a traffic violation, only that a violation occurred. Motor vehicle fatalities will be cleared as follows:

- ☐ When a violating driver or pedestrian are the only fatality the case is cleared unfounded
- ☐ When a violating driver or pedestrian is killed, but other fatalities also occur, the case is cleared exceptionally
- ☐ When a violating driver or pedestrian is not killed, but other fatalities do occur, the case is cleared by arrest

Notification of the clearance is made as follows:

- ☐ When a case can be cleared immediately as unfound or exceptional, this information will be placed on the report
- ☐ When clearance is determined as unfounded or exceptional after submission of the report or when a case is closed by arrest, this information will be placed on a supplemental accident report

If an accident reconstruction is completed, the reconstructionist shall enter the proper clearance on the reconstruction report.

7. **Snow Emergencies**

Response by officers to accidents during snow emergencies is required when any of the following exist:

- ☐ The accident is a hit-and-run
- ☐ There is damage to Town property
- ☐ A public hazard exists from debris or site damage
- ☐ Injuries are involved
- ☐ Vehicles are inoperable

If any of these conditions exist, officers shall be dispatched to the scene.

8. Accident Reports Optional

Subject to the requirements in this section, accident investigations are optional in the following cases:

- ☐ Single-vehicle property damage accident in which the vehicle is not disabled and publicly-owned property is not involved
- ☐ Property damage accident occurring on private property, regardless of the extent of damage
- ☐ Property damage accidents occurring on public roadways not resulting in disabling damage to any involved vehicle

Procedures

Officers shall respond to the scene and determine:

- ☐ Vehicle registration
- ☐ Validity of drivers' licenses
- ☐ VIN plates against registration documents and plates
- ☐ Wanted status of drivers and vehicles

If discrepancies exist, officers shall investigate the accident, complete a MAARS Report, and take proper enforcement action.

When not formally investigating the accident, officers shall not make judgments concerning fault or issue citations.

When a MAARS Report is not written, officers shall instruct the parties to exchange driver's license, registration, and insurance information.

Officers will identify owners of damaged property, notify them of the damage, and give them information regarding the vehicle operator.

When an officer initially declines to write an accident report in accordance with the provisions of this directive, he or she is not required to write a report on a later date because of new information, provided that the facts known to the officer at the time of the initial decision did not require an investigation.

Exceptions are:

- ☐ An individual dies of injuries sustained in the accident (CARU)
- ☐ It is later determined that an involved party fraudulently or incorrectly identified himself with the intent to commit a hit-and-run

In these instances, officers shall complete a MAARS Report and required supplementary reports.

9. Report Submission

Officers shall complete MAARS Reports for all traffic accident investigations except for hit-and-run accidents which meet the criteria listed in **Section 13. Incident Report Authorized for Hit-and-Run** of this chapter.

A MAARS Report will not be completed if:

- ☐ Information required for completion of the report is not known, and "UNKNOWN" is not an acceptable entry for a particular field in the report
- ☐ The report would be rejected by the State if the field were not complete

When above conditions are present, officers shall complete an Incident Report in lieu of a MAARS report. Officers shall indicate "MOTOR VEHICLE ACCIDENT" in the TYPE OF INCIDENT block. The narrative will contain the following:

- ☐ Date and time of the accident and best available description of the location of occurrence
- ☐ Driver's license information for known drivers
- ☐ An explanation why a MAARS report could not be submitted
- ☐ Vehicle registration and insurance information
- ☐ Names and addresses of known vehicle occupants
- ☐ Details of the accident, including cause and responsibility, if known

Officers investigating traffic accidents involving criminal offenses (e.g., stolen vehicle used in a robbery) shall not report the criminal offense on

the MAARS report. Instead, officers shall use an Incident Report to document the criminal offense and include "SEE ACCIDENT REPORT, SAME CCN" in the narrative.

When a vehicle is impounded as a result of an accident, officers shall complete and submit an Incident Report for each vehicle impounded in addition to the MAARS Report. ***See: VOL II, CH. 31. IMPOUNDS & VEHICLES.***

When a MAARS Report has insufficient space to record the names of all vehicle occupants, either of the following methods may be used:

- ☐ *Continuation Report:* the top fields must be completed; the pre-printed MAARS number (from block I of the original MAARS Report) and the agency code "AZ" shall be included in the first lines of the narrative

Officers may utilize supplement accident diagrams for large outdoor scenes or where attention to detail requires a larger format than available on the MAARS Report. The top fields on the Supplemental Diagram must be completed as on a MAARS Report. The pre-printed MAARS number (from block I of the original MAARS Report) and the agency code "AZ" shall be used.

10. Photography

Officers will ensure that they photograph vehicles, physical evidence, and the accident scene for accidents involving government vehicles (including volunteer fire companies and WMATA vehicles) or a fatal or critical injury accident.

11. Hit & Run Accidents

Officers handling hit-and-run accidents shall attempt to identify the striking vehicle and the vehicle's driver. They shall make reasonable efforts to collect physical evidence and develop investigative leads.

When a suspect description is available, a lookout shall be broadcast from the scene.

When investigative leads are developed, officers shall automatically conduct a follow-up investigation. Leads requiring an automatic

follow-up include, but are not limited to:

- ☐ Suspect registration information
- ☐ Eyewitness identifications of suspects
- ☐ Physical evidence suitable for forensic examination

When the striking vehicle's registration information is known, the investigating officer shall document all efforts to contact the registered owner on either the initial report or supplementary reports. Officers shall include any explanations or relevant statements the owner may have offered. Officers shall document all follow-up activities regardless of whether an arrest occurs.

Arrests of Suspects

Full custody arrests of hit-and-run suspects are authorized, but not required. Officers may issue citations, or they may apply for a warrant.

12. Incident Report Authorized for Hit-and-Run

In cases where information or physical evidence fails to identify the striking vehicle, officers may document the incident on an Incident Report in lieu of the MAARS Report. When an Incident Report is completed, officers shall:

- ☐ Indicate "PROPERTY DAMAGE" in the TYPE OF INCIDENT block
- ☐ Ensure that the VEHICLE section is completed
- ☐ Write a detailed narrative
- ☐ Provide the reporting person with the CCN
- ☐ Advise the reporting person that copies of the Incident Report may be obtained at Police Station for a small fee.

13. Follow-up Investigations

With supervisory approval, officers may continue investigations outside of their assigned area, as well as extend their investigations to subsequent tours of duty.

Examples necessitating a continued or extended investigation include:

- ☐ Collecting additional evidence

- ☐ Obtaining witness statements
- ☐ Preparing reports
- ☐ Testing vehicles and safety equipment
- ☐ Duties associated with accident reconstruction.

In unusual circumstances, officers may enlist the assistance of technical experts during a follow-up investigation. They may include physicians, mechanics, surveyors, and engineers. Except for vehicle inspections, requests for these arrangements shall be approved in advance by the Chief of Police if the specialist is to be paid.

14. Mechanical Defects Inspections

When an investigating officer suspects a mechanical defect or failure caused or contributed to a fatal or critical injury accident, he or she shall impound the vehicle. Before the end of the following business day, the investigating officer shall contact the OIC, PGPD CARU to determine whether CARU or MSP Automotive Safety Enforcement Division (ASED) will conduct an inspection. When an ASED inspection is to be conducted, the OIC, CARU shall arrange for the inspection. They shall ensure the investigating officer receives the results.

15. Suspension of Follow-Up

Supervisors may authorize officers to cancel or suspend follow-up investigations when the investigation is unlikely to result in prosecution for violations of traffic or other criminal laws. Investigations shall not be continued merely to improve any party's civil or insurance claim. When deciding whether to authorize suspension of investigative activity, supervisors shall consider whether:

- ☐ Investigative leads exist and whether they are of meaningful quality
- ☐ Manpower and workload factors provide opportunities for follow-up work
- ☐ Physical or forensic evidence is likely to identify the suspect vehicle or driver
- ☐ Severity of injuries and property damage justify the continued commitment of law enforcement resources
- ☐ Suspect vehicle's registration address is geographically close enough to the County to

make further investigation practical

- ☐ Witnesses can identify the suspect driver in court.

16. Aircraft or Train Accident

Aircraft Accidents

MSP investigates aircraft accidents within the Town. Officers responding to aircraft accidents shall preserve the scene and take life-saving action.

Officers who perform significant assistance such as rendering rescue and first aid services or collecting evidence shall complete an Incident Report and a Commander's Information Report.

Train/Motor Vehicle Accidents

Investigation of train accidents involving a motor vehicle shall be conducted in accordance with the MAARS reporting system, which does not define trains as motor vehicles. Since the train information will not be included in the vehicle fields of the report (e.g., Vehicle #1, Vehicle #2) the following information shall be placed in the narrative:

- ☐ Name and addresses of passengers who are visibly injured or who inform officers of an alleged injury. Identities of uninjured passengers need not be included
- ☐ Names and assignments of engineers, brakemen, conductors, and other crew members
- ☐ Train company name, engine number, and the specialized name or schedule number for the train

The train may be detained at the scene while preliminary investigation and rescue efforts are in progress. Investigating officers shall allow the train to depart as soon as these efforts are complete. When necessary, officers may request a member of the crew or a company representative to remain behind for additional interviews.

Officers shall notify the National Response Center (NRC) through PSC in the event of:

- ☐ An evacuation of the train or surrounding

- community
- ☐ Fuel leakage
- ☐ A grade crossing accident involving death or injury
- ☐ A hazardous material spill
- ☐ A train derailment

Officers shall also prepare a CIR for a motor vehicle accident involving a train.

Pedestrian/Train Accidents

A PGPD Homicide investigator shall investigate accidents in which a pedestrian is struck and killed by a train, per the current MOU.

CPD investigators investigate non-fatal train/pedestrian accidents to determine whether foul play or attempted suicide is involved.

The first officer on the scene of such accidents shall take appropriate life-saving and protective action. Additionally, officers shall preserve the scene pending the arrival of the investigator. The investigating officer shall detain witnesses and involved persons. The train shall not leave the scene.

Unless directed otherwise by the investigator, officers shall submit an Incident Report, CIR, or Special Report when applicable. Other reports and notifications shall be the responsibility of the investigator. No MAARS Report will be submitted in pedestrian/train incidents.

The inter-agency agreement with WMATA stipulates that PGPD will investigate deaths and serious injury accidents on WMATA property.

Notifications to federal agencies are required for train/pedestrian accidents.

Train Derailment

The railroad and appropriate federal transportation officials investigate accidental train derailments not involving a struck motor vehicle or pedestrian. The CPD shall render rescue services, crowd, traffic control, and other assistance, as needed.

Officers shall notify the NRC through PSC of all derailments. Officers shall submit a CIR and

Incident Report indicating:

- ☐ Date/time of notification to NRC
- ☐ Name of person making notification
- ☐ Name of the NRC official who received notification
- ☐ Names of the federal officials and the agencies to which they are affiliated that responded to the scene
- ☐ Name of the engineer and senior company officials at the scene
- ☐ Name of the railroad, the train's specialized name or schedule number, engine or locomotive number
- ☐ Services performed or actions taken by Departmental personnel

When deaths have occurred, officers shall notify the medical examiner and federal investigators to determine the agency responsible for death reports. The Homicide Unit shall be notified and respond to the scene if federal officials are not responding.

If the derailed train is a WMATA train and a death report is to be prepared by the local police agency, a PGPD officer shall prepare the report.

When evidence exists that a derailment occurred other than by accident, the incident shall be treated as a crime scene. When deaths occur, officers shall notify a Homicide Investigator and the investigator shall respond. Authority for the investigation may eventually transfer to a federal agency (e.g., FBI) if appropriate.

17. Organ Donor Victims

As soon as possible following the death of an individual involved in an accident, the investigating officer shall determine, either through visual inspection or computer inquiry, whether the deceased's driver's license designates them as an organ donor. If the deceased's driver's license indicates they are an organ donor, and the body is still at the accident scene, the investigating officer shall arrange for it to be transported to a medical care facility as soon as investigative and evidentiary considerations allow.

Investigating officers shall ensure that the staff at the hospital is aware of the organ donor status of

all critically injured or deceased individuals. They shall also ensure that the hospital will make notifications to transplant agencies. Officers shall note the names of the staff members notified, and the date and time of notifications on the CIR. Officers are not expected to contact agencies personally, although they may contact them when the hospital's response is inadequate.

18. Traffic Direction

Officers shall provide manual traffic direction as assigned or necessary to provide efficient traffic flow. Normally, only uniformed employees trained in the use of standard signals and gestures will direct traffic. Employees shall wear traffic safety vests when directing traffic.

Manual traffic direction includes the use of highway flares or temporary traffic control devices such as cones. When necessary, officers may enlist the assistance of Public Works or the State Highway Administration (SHA) to:

- ☐ Operate electronic signal boxes
- ☐ Provide temporary traffic control devices

Those agencies may provide temporary traffic control devices when traffic direction may be required for more than one hour. A supervisor shall request their assistance.

19. Evaluating Equipment & Manpower Needs

Officers will evaluate the area requiring traffic direction by considering the following:

- ☐ Traffic count
- ☐ Visibility
- ☐ Environmental conditions
- ☐ Number of lanes available to traffic
- ☐ Complexity of traffic flow
- ☐ Speed limit

A minimum of two officers shall provide direction at any intersection where two of the roadways have three or more through lanes.

VI. GOVERNING LEGISLATION & REFERENCE

CHAPTER 2. ALARMS**I. POLICY**

Officers shall respond to alarm calls in the Town subject to the provisions of this directive.

Prince George's County Code Section 9-131 regulates responsibility for the proper operation and serviceability of alarm systems. It also mandates the imposition of sanctions against those operators having systems that malfunction excessively or are frequently operated negligently.

II. CHECKLIST

Officers shall use caution when responding to any alarm call. Due to the high volume of these calls, complacency may erode the use of sound officer safety tactics. In addition to other officer safety tactics, the following should be considered when approaching the target location:

- ☐ Do not rush to the target location
- ☐ Park away from the target location and approach on foot
- ☐ Attempt to approach the location in a manner that prevents being seen by suspects
- ☐ Watch for fleeing suspect and vehicles during the approach

III. DEFINITIONS

False Alarm: Departmental response to the activation of an alarm for which the responding officer finds no evidence of a criminal offense or attempted criminal offense. False alarms include negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning or improperly installed or maintained equipment; or signals purposely activated to summon the police in non-emergency situations. Response to an alarm that is cancelled by the alarm user or alarm company prior to the officer's arrival is not a false alarm.

IV. FORMS

- ☐ Incident Report

V. PROCEDURES**1. False Alarm Notification**

Alarm users must register their systems with Prince George's County's False Alarm Reduction Unit (FARU) before using them. Failure to register an alarm system is a violation of County Code Sections 9-132 and 134, and is punishable by fine, civil citation, or the denial of police response to future alarms.

Officers who have contact with a commercial or residential alarm user who does not possess a permit as required by the FARU shall refer the user to the FARU for registration.

2. Alarms at Public Schools

PGPD and CPD officers, per the current Memorandum of Understanding (MOU), will be dispatched to all alarms at public schools in the Town.

When responding to alarms at public schools, officers shall determine:

- ☐ Whether the facility was entered
- ☐ Whether apprehensions were made
- ☐ Whether the alarm was caused by a school employee and, if so, that individual's identity

3. Clearing Alarm Calls

Officers responding to an alarm shall inspect the exterior for a FARU registration sticker. This purple sticker is not the same as the former Burglar Alarm (BA) registration sticker.

Prior to clearing an alarm call, officers shall relay the displayed FARU registration number to the dispatcher. If no FARU registration number is displayed, the dispatcher shall be notified.

False alarms will be cleared "378" with the appropriate suffix:

- ☐ C for a commercial alarm
- ☐ R for a residential alarm
- ☐ S for a school alarm

Whenever an alarm is purposely activated by an operator merely to obtain expeditious police

service, the officer shall complete an Incident Report and note FARU in the COPY TO block. The call shall be cleared:

- ☐ "578" (with the appropriate suffix)
- ☐ False alarm
- ☐ Intentionally activated by (provide name)
- ☐ Brochure left on scene
- ☐ Permit #

Whenever an alarm is activated with no discernable cause (premise appears secure) the call shall be cleared:

- ☐ "378" (with the appropriate suffix)
- ☐ False alarm
- ☐ Cause unknown
- ☐ Brochure left on scene
- ☐ Permit #

If there is an apparent cause for the alarm, i.e., severe weather conditions, the call shall be cleared:

- ☐ "378" (with the appropriate suffix),
- ☐ Alarm verified
- ☐ Cause unknown but possibly activated by weather conditions
- ☐ Brochure left on scene
- ☐ Permit #

A response to an alarm cancelled by the alarm user or alarm company prior to the officer's arrival shall not be considered a false alarm. In this instance, it shall be cleared, "100."

When a supervisor determines that police response is unnecessary due to repeated false alarms caused by severe weather or other articulable reasons, the call shall be cleared "178" (with the appropriate suffix).

These clearances will be recorded at PSC and become part of the official record used by FARU to determine liability.

If a supervisor cancels response to an alarm, it shall not be considered a false alarm.

Alarm calls should be cleared with as much specificity as practical. If an owner responds to the T/A to assist in a premise search and provides an

explanation for the cause of the false alarm, the explanation should be given to the dispatcher. Officers may complete an Incident Report for any alarm call.

VI. GOVERNING LEGISLATION & REFERENCE

Legislation:

- ☐ Memorandum of Understanding (MOU) between the Town of Cheverly and Prince George's County for Jurisdictional Police Services (July 2008).
- ☐ County Code, Sections 9-131, 9-132, & 9-134

CHAPTER 3. ANIMAL COMPLAINTS

I. POLICY

Officers will respond to calls for sick, wounded, dangerous, vicious, or rabid animals as well as animal bites. Public Safety Communications (PSC) shall direct routine animal complaints to the Prince George's County Animal Management Division.

The Animal Management Division is responsible for impounding animals. Officers will provide reasonable assistance to confine animals pending the arrival of an animal control officer.

II. CHECKLIST

Officers responding to animal bites shall:

- ☐ Complete an Animal Bite Report
- ☐ Notify the owner and quarantine the animal
- ☐ Notify the Animal Management Division and the Health Department within 24 hours

Officers destroying rabid, dangerous, or vicious animals shall:

- ☐ Notify their supervisor
- ☐ Notify the Animal Management Division to remove the carcass, and remain on scene until an animal control officer arrives
- ☐ Ensure that no one touches the animal
- ☐ Ensure that other animals do not touch the carcass
- ☐ Complete an Incident Report, noting "Animal Management Division" in the COPY TO block

III. DEFINITIONS

Dangerous or Vicious Animal: Any animal that has attacked, bitten, or injured an individual, or an animal that has shown a propensity to attack human beings without provocation

Pit Bull Terrier: A Staffordshire Bull Terrier, American Staffordshire Terrier, American Pit Bull Terrier, a dog having the predominant appearance of one of the above breeds, or a dog registered at any time as a pit bull terrier

IV. FORMS

- ☐ Animal Bite Reports (PGC Form #Z-6)
- ☐ Animal Control Violation Notice (PGC Form #3419)
- ☐ Uniform Civil Citation (DC 28)
- ☐ Commander's Information Report
- ☐ Incident Report

V. PROCEDURES

1. Animal Bites

The Prince George's County Health Department monitors animal bites by warm-blooded animals for rabies infection. The CPD assists the Health Department by completing Animal Bite Reports and forwarding them to the Animal Management Division and the Health Department within 24 hours.

Officers shall complete an Animal Bite Report when a bite, scratch, or exposure to saliva through an open wound or mucous membrane has occurred, even when the victim or their family owns the animal. The owner of an animal must notify the CPD within 1 hour of being made aware his/her animal attacked another animal or a human being (Town Code 4-5).

Officers shall attempt to find the animal, and ensure that it is quarantined. The owner of the animal shall be served with their copy of the Animal Bite Report. Officers shall notify the owner of the Conditions of Quarantine and complete this section of the form. If the owner refuses to agree to the conditions and sign the quarantine agreement, the officer shall notify the owner that this will result in the seizure of the animal by the Animal Management Division. The officer shall write, "REFUSED" in the owner's signature line on the form.

The victim shall be provided with their copy of the Animal Bite Report and advised to contact the Health Department.

When the animal owner is known, but the officer believes that the owner will not or cannot comply with the conditions of quarantine, the officer shall immediately contact the Animal Management Division through PSC and stand by for their

arrival.

A supervisor shall review and approve the Animal Bite Report, and ensure that it is faxed to the Animal Management Division and the Health Department within 24 hours. The supervisor shall then sign the reverse of the Animal Bite Report. When fax equipment is not in operation, the supervisor shall ensure the Animal Management Division and Health Department are notified by telephone. The "Police Department" copy shall be forwarded to PGPD, Records Section. Incomplete Animal Bite Reports must still be faxed to the Animal Management Division and the Health Department within 24 hours. Once completed, the report shall be faxed again.

2. Rabid, Dangerous & Vicious Animals

Any mammal can contract rabies. Raccoons, bats, foxes, skunks, groundhogs and unvaccinated cats and dogs are particularly susceptible. In this County, rabies strikes raccoons more than other animals. Rabid animals may be aggressive, unusually friendly, paralyzed, or sick. A lack of motor coordination in the rear legs may be a sign of rabies.

The disease may be transmitted to other animals or humans through a scratch or bite that breaks the skin, or other exposure to saliva through open wounds or mucous membranes. An officer or citizen can contract rabies by touching the fur of a rabid animal or by touching an animal that has fought with a rabid animal.

Domestic Animals

Domestic animals may be confined on the owner's premises for the duration of the quarantine period provided by law following exposure to a rabid animal. The Animal Management Division may take the animal into custody.

Officer's Responsibilities

If an officer becomes aware of a dangerous or vicious animal that is contained and poses no immediate threat, the officer shall complete an Incident Report and note Animal Management Division in the "COPY TO" block. A supervisor shall ensure the report is faxed to the Animal

Management Division within 24 hours.

Officers responding to calls involving dangerous or vicious animals which pose an immediate threat, and those suspected of being rabid shall attempt to find the animal and contain it without endangering himself or the public. Once contained, officers shall notify the Animal Management Division through PSC, and remain on the scene until an animal control officer arrives. Citizens shall be detoured from the area pending their arrival. If the animal cannot be confined and poses an immediate threat to public safety, the officer shall destroy the animal.

If the animal cannot be located, officers shall complete an Incident Report that includes a thorough description of the animal and its behavior, and forward it to the Animal Management Division within 24 hours.

Destroying Animals

The preferred method of destroying animals is by shotgun, preserving the head when rabies is suspected. If a shotgun is not available, officers may use another authorized sidearm.

Where an officer discharges a firearm for the purpose of humanely destroying an injured animal, the involved officer will complete an Incident Report and a CIR.

If an officer destroys an animal for any other purpose, a use of force review shall be conducted. ***See: VOL. II, CH. 51. USE OF FORCE.***

3. Pit Bull Terriers

Ownership Prohibited

(County Code, Section 3-185.01)

Prince George's County law prohibits the ownership, keeping, and harboring of pit bull terriers in the County. An exception is granted under the law to individuals who possessed a pit bull terrier prior to November 1, 1996, under the following conditions:

- ☐ The animal shall be registered by the administrator of the Animal Management Division, and must always wear a tag provided by the administrator

- ☐ The owner must pay a \$50.00 annual fee to the administrator
- ☐ The owner must keep the dog within a building or kennel
- ☐ Whenever the dog is removed from the building or kennel, it shall be secured by an unbreakable leash and maintained under the control of an adult

An individual may temporarily hold a pit bull terrier in the County for the purpose of showing the dog in a place of public exhibition, contest, or show sponsored by a dog club or association.

Dogs employed or owned by a law enforcement agency and trained to perform official police, correctional, fire, or search and rescue service are exempt from the provisions of this act.

Violations

Violations of the County Code pertaining to pit bulls are criminal offenses. Any individual found in violation of any provision of this section may be fined up to \$1,000.00 or sentenced to not more than six (6) months of imprisonment.

Officers shall not issue criminal citations for violations of this act since the penalties exceed those enumerated for such citations. Officers wishing to place charges against an animal owner in these cases must make a full-custody arrest.

4. Animals Used for Assault

*(Section 3-201, Criminal Law Articles;
Town Code 4-5)*

Persons who intentionally inflict injury upon others by causing an animal to attack them are subject to arrest under the criminal charge of assault. These cases shall be handled by CPD Investigators.

5. Assisting Animal Control

*(Prince George's County Code, Section 3-1/6.01,
3-185.0/)*

The County's Animal Management Division has primary responsibility for enforcing animal control laws. When its employees investigate incidents and have probable cause to believe violations have occurred, they may apply for criminal charges. CPD employees will assist animal control officers

only after a warrant has been issued.

Other violations of State or County laws and regulations or the Town Code not amounting to criminal charges are the responsibility of the County's Animal Management Division. Their investigative staff has authority to conduct investigations and obtain arrest or search warrants under State law and the County Code.

6. Animal Control Violation Notice

The Town Code articulates animal violations that may be enforced on a Civil Citation. Officers may also use the Animal Control Violation Notice to cite owners of animals when violations of the Prince George's County Code are observed. This form contains all animal related offenses, including:

- 3-134** Excessive noise by animal
- 3-135** Animal running at large
- 3-141** Theft of animals
- 3-145** License required for dog, cat, or ferret
- 3-180** Cruelty to animals
- 3-186** Failure to vaccinate for rabies

Upon issuing a violation notice, officers shall inform the violator that complete information and instructions are printed on the reverse side of the violator's copy. Violators shall be referred to the County's Animal Management Division for other questions.

Town Violations on Uniform Civil Citation Form (DC 28)

In addition to a Prince George's County Animal Control Violation Notice, CPD officers can also charge violators on a Uniform Civil Citation (DC 28) with the following Town Code violations:

- 4-3** Animals a public nuisance
- 4-4** Failure to control animal or interfering with enforcement violation
- 4-5** Failure to report animal attack
- 4-6** Cruelty to animals or birds
- 4-7** Raising or keeping restricted animals
- 4-8** Commercial breeding
- 4-9** Failure to vaccinate dogs and cats
- 4-10** Allowing solid waste on property of another or public property

7. Arrestee in Possession of an Animal

Officers will contact the County's Animal Management Division to assist with the removal of animals in the possession of an individual arrested or detained when no one else will take responsibility for it. The notification will be documented on the Incident Report.

VI. GOVERNING LEGISLATION & REFERENCE**Governing Legislation:**

- ☐ Town Code, Sections 4-3 through 4-11
- ☐ Town Code, Section 4-13
- ☐ Section 3-201, Criminal Law Articles
- ☐ County Code, Section 3-101
- ☐ County Code, Section 3-116.01
- ☐ County Code, Subtitle 3, Section 3-137
- ☐ County Code, Section 3-185.01

CHAPTER 4. ARREST, TRANSPORT & PROCESSING

I. POLICY

It is the policy of the Department that the arrest, transportation, and processing of detainees will be made in a manner that maximizes the safety of arresting officers, persons arrested, and members of the public. Since this Department does not process adult and most juvenile prisoners at a CPD facility, this General Order primarily reflects rules and regulations promulgated by the Prince George's County Police Department regarding the CPD's use of their booking and detention facilities.

In some cases, the issuance of a citation is more appropriate than a physical arrest. When a citation is issued instead of a physical arrest, fingerprints and photographs will not be obtained.

II. CHECKLIST (N/A)

III. DEFINITIONS

Adult Arrest: Any arrestee age 18 years or older and any juvenile charged as an adult

Arresting Officer: The officer responsible for completing the charging documents and other reports related to an arrest

Body Cavity Search: A physical intrusion and probing into an individual's mouth, nasal passages, ears, anus, genital area, or other body part

Custody Officer: The officer responsible for the security, custody and safety of a detainee or arrestee

Desk Officer: Usually an officer from the Prince George's County, Department of Corrections (DOC) assigned to a Regional Processing Center

Detainee/Arrestee: A person temporarily held in custody for the purpose of processing

Full-Custody Arrest: An arrest that involves an individual being taken into physical custody by a law enforcement officer for the formal placement of criminal charges

Juvenile Delinquent Offender: Any juvenile charged with an offense for which an adult can be charged, but who is subject to the jurisdiction of the juvenile court

Juvenile Non-offender: Any juvenile who is subject to the jurisdiction of the juvenile court, usually under abuse, dependency, or neglect statutes, for reasons other than legally prohibited conduct of the juvenile

Juvenile Status Offender: Any juvenile who has committed an offense for which adults cannot be charged, such as runaway or truancy

Juvenile Status Offender or Non-Offender Processing Areas: Designated unlocked areas outside secured detention areas where juvenile status offenders or non-offenders may be temporarily housed

Other Authority: Governmental entities and agents thereof, entitled by law, court order or detention authority, to take or relinquish custody of any arrestee or detainee; these include DOC employees and the U.S. Marshal's Service

Outside Agency: Special police officers (SPOs), law enforcement agencies having jurisdiction within the County

Positional Restraint Asphyxia: Death occurring as a result of body positioning that interferes with an individual's ability to breathe

Processing Areas: Designated areas used for fingerprinting, photographing, testing, interviews, and completion of arrest documents

Processing Officer: The County's DOC officer assigned to the processing area at regional processing facilities

Regional Processing Facility: Processing area staffed by the County's DOC personnel for the purpose of completing arrest paperwork and arrestee presentment before a District Court Commissioner.

Search Incident to Arrest: A thorough examination of an individual's clothing, possessions, and immediate surroundings to find

weapons or contraband

Secure Areas: Areas designed to physically restrict the movement and activities of persons in custody

Strip Search: The removal of any clothing permitting a visual inspection of the genitals, buttocks, anus, breasts, or innermost undergarments of an arrestee

Squat Search: A search requiring an arrested individual to crouch or squat while the undergarments and other clothing are removed to expose the genital or anal area; permits contraband or other material concealed in the genital or anal area to become visible or dislodged

Temporary Detention Cell or Area: A cell or area within a police station that is not designated as a regional processing facility, which is used for interviews, questioning, temporary detention and where all weapons are prohibited

IV. FORMS

- ☐ Application for Statement of Charges (Form #DC/CR 1)
- ☐ Arrest Report (PGC Form #3245)
- ☐ Application for Statement of Charges, Continued (Form #DC/CR 1A)
- ☐ Detainee Medical Release Form (PGC Form #5188)
- ☐ Detainee Processing Log (PGC Form #5097)
- ☐ Incident Report
- ☐ Maryland Uniform Criminal Citation (Form #DC/CR 45)
- ☐ Maryland Uniform Municipal Infraction/Civil Citation (Form #DC28)
- ☐ PGPD Fingerprint Card (PGC Form #930)
- ☐ Processing Information Sheet (PGC Form #519)
- ☐ Property Record
- ☐ Request for Witness Summons (Form #DC/CR 92)
- ☐ Statement of Charges (Form #DC/CR 2)
- ☐ Statement of Charges, Continued (Form #DC/CR 2A)
- ☐ Statement of Probable Cause (Form #PC DC/CR 4)
- ☐ Statement of Probable Cause, Continued

(Form #PC DC/CR 4A)

- ☐ Statement of Victim/Witness/Suspect
- ☐ Uniform Juvenile Civil Citation for Alcohol and Tobacco Offenses (Form #DC 31)

V. PROCEDURES

1. Maryland Uniform Criminal/Civil Citations

The Maryland Uniform Criminal Citation may be used for adult criminal charges carrying penalties of less than three months or \$500, as well as misdemeanor thefts that may carry higher penalties. Use of the citation is an alternative to a physical arrest.

Criminal Citations should be documented on the Incident Report. Multiple citations may be documented on one Incident Report.

The Maryland Uniform Municipal Infraction/Civil Citation may be used for adult civil violations involving alcoholic beverage offenses for individuals between 18 and 20 years of age. The Uniform Juvenile Civil Citation for Alcohol and Tobacco Offenses may be used for juveniles.

Citation Issuance

Each citation shall reflect only one charge. A citation may be issued to a defendant if the officer is satisfied with the defendant's evidence of identity and reasonably believes the defendant will comply with the citation.

Maryland Criminal Citations shall not be issued:

- ☐ For a criminal offense where the punishment exceeds 90 days in jail or a \$500 fine (except misdemeanor theft)
- ☐ For violations of the Maryland Transportation Article
- ☐ For parking violations
- ☐ When an officer is not satisfied that the suspect will appear in court as required
- ☐ When the suspect refuses to sign the citation
- ☐ When the suspect cannot satisfactorily identify themselves

Alcohol Violations

(Sections 10-113 through 10-116 of the Maryland Criminal Law Articles)

An individual may not refuse to furnish proof of identification and age upon request of an officer issuing a citation for:

- ☐ False documentation
- ☐ Misrepresentation of age
- ☐ Obtaining for underage consumption
- ☐ Possession of alcoholic beverages on school property
- ☐ Underage possession

Additional Criminal Charges

When an officer conducts a pat down or search of an individual being issued a Criminal or Civil Citation finds contraband, and intends to charge the individual for this additional violation, the officer must make a full custody arrest. The officer must be able to articulate probable cause for the search. In these cases, standard arrest procedures and the use of associated documents will be followed.

2. Civil Violations for Adults & Juveniles (Maryland Criminal Law Article Sections 10/13 through 10-118; (Education Article Section 26-103)

All Civil Violations for adults and juveniles shall be documented on an Incident Report

Adult Civil Violation

The Adult Civil Violation applies to persons aged 18 through 20 years, when used for alcoholic beverage related offenses.

Juvenile Civil Violation (Maryland Criminal Law Articles Sections 10-113 through 10-116)

The Juvenile Civil Violation shall be issued to those juveniles violating alcoholic beverage and tobacco offenses.

Issuance of Municipal Infraction/Civil Citation

Passengers in a motor vehicle possessing an open container of an alcoholic beverage are charged on the same citation for violating the provisions of Section 10-125, Open Container in Passenger Area.

3. Full-Custody Arrests

Verifying Existence of Warrants

The Supreme Court has recognized the Police Team concept. If any law enforcement officer holds a warrant, it is deemed held by all.

Civil burdens for arrests in these circumstances lie with the agency generating the warrant. Before officers make an arrest on the strength of a warrant, they must make every reasonable effort, through the Prince George's County Public Safety Communications (PSC) or otherwise, to verify that it is still outstanding.

Arrests by Off-Duty Officers

When off-duty officers make an arrest, they will ordinarily transport the arrestee themselves unless:

- ☐ Their assigned cruiser is not available
- ☐ They have family or passengers in the cruiser
- ☐ An on-duty officer handles the arrest processing

Arrests by Plain-Clothes Officers

Plainclothes officers shall request the assistance of uniformed officers when serving any arrest warrant, unless the situation dictates otherwise. To minimize the potential for injury, plainclothes officers shall, whenever practical, schedule the time and location of the arrest.

Uniformed officers in marked vehicles shall usually be assigned to assist plainclothes tactical operations and should make all arrests whenever possible

Warrantless Arrest in Defendant's Home

The U.S. Supreme Court decision of *PAYTON v NEW YORK* requires officers having probable cause to make an arrest to obtain a warrant (where time permits) as opposed to merely responding to the suspect's home and making an arrest based on probable cause. The decision prohibits law enforcement officers from entering a defendant's home to make a routine arrest without a warrant.

Arrests of Military Personnel

When an officer arrests a member of the military, or a reservist on active military duty, the officer shall contact the military police of the arrestee's service branch in the Washington metropolitan area. The following information regarding the service member shall be provided:

- ☐ Name
- ☐ Social security number
- ☐ Assigned unit

Arrests of Military Deserters

Desertion from active military duty is a violation of the Uniform Code of Military Justice. It is not a crime for which civil authorities are authorized to make an arrest. Officers will refrain from arresting persons for desertion unless:

- ☐ The individual has a criminal warrant on file with NCIC charging them with desertion or other written documentation authorizing the individual's arrest
- ☐ An individual is in custody for other violations and it is discovered that they are a deserter. Military authorities will be notified.

Officers are prohibited from accepting a bounty or other gratuity from the Federal Government for arresting a deserter. If an inquiry is made regarding payment of such a bounty, the government representative will be directed to forward such remunerations to the Town Government.

Illegal Aliens

Officers shall not initiate arrests merely to determine a suspected alien's status. When an individual booked on a criminal charge is suspected of being an illegal alien, the processing officer shall:

- ☐ Contact Immigration and Customs Enforcement (ICE) to determine the individual's immigration status
- ☐ Include information from ICE in the narrative of the Arrest Report
- ☐ If illegal immigration status is confirmed, this information shall be documented in a separate

Incident Report.

Felony Arrests

Whenever a felony arrest is made, the officer will attempt to contact a CPD Investigator or an appropriate PGPD CID investigator to facilitate an interview of the suspect. A copy of the Arrest Report shall be forwarded to the appropriate unit.

4. Warrantless Felony Arrests by Persons Other Than Officers or Special Police Officers (SPOs)

When an officer investigates an incident where a suspected felon is detained, the officer will examine the probable cause. If it is determined that the detention is lawful, they will obtain a signed statement from the complainant, using the Victim/Witness/Suspect Statement Form.

They will then transport the arrestee to a processing facility and complete the arrest, summoning all witnesses.

Misdemeanor Arrests

(Criminal Procedure Article - Title 2 Subtitle 2)

Before making a warrantless arrest for a misdemeanor not committed in his or her presence, the officer must have probable cause to believe that the suspect has committed one of offenses listed below, and unless the suspect is immediately arrested may:

- ☐ Not be apprehended
- ☐ Cause physical injury or property damage to another
- ☐ Tamper with, dispose of or damage evidence

Misdemeanors offenses for which an officer is authorized to make a probable cause arrest without a warrant include the following:

- ☐ Manslaughter by vehicle or vessel
- ☐ Malicious Burning
- ☐ Malicious Mischief
- ☐ Theft under \$500 or an attempt
- ☐ Giving or causing to be given a false alarm for a fire
- ☐ Indecent exposure
- ☐ Crimes related to controlled dangerous substances

- ☐ Wearing, carrying, or transporting a handgun
- ☐ Carrying or wearing a concealed weapon
- ☐ Prostitution and related crimes
- ☐ Stalking
- ☐ Domestic abuse (If the report is made within 48 hours of the incident)

When an officer cannot establish probable cause for an arrest, or the violation is a misdemeanor not listed above, the officer shall:

- ☐ Provide the suspect's identity to the accuser or witness and advise them to contact a District Court Commissioner to file an Application for a Statement of Charges
- ☐ If identity cannot be determined, provide the accuser with available information and advise them to attempt to obtain a Statement of Charges

Misdemeanor Arrests by Persons Other than Police Officers or SPOs

The law prohibits the issuance of charging documents to citizens. All warrantless arrests must be processed via a charging document prepared by a police officer or SPO.

When an officer is assigned to transport a detainee for persons other than officers or SPOs, the officer shall examine the probable cause for the arrest and initiate wanted checks on the detainee. The officer shall transport the detainee on receipt of a warrant hit and confirmation.

The officer will not transport the detainee unless the provisions for warrantless arrests listed in the section ***Misdemeanor Arrests*** have been met. When a detainee cannot identify him or herself to the officer's satisfaction or is not a Maryland resident, the detainee may be arrested, based on probable cause.

If the officer determines that an arrest is justified, the officer will:

- ☐ Obtain a signed statement from the complainant using the Statement of Victim/Witness/Suspect Form
- ☐ Transport the arrestee to a processing facility and complete the arrest

If the officer decides not to arrest the suspect the officer shall:

- ☐ Obtain supervisory concurrence
- ☐ Give the complainant the suspect's identity and CCN
- ☐ Advise the complainant to contact a District Court Commissioner to apply for a statement of charges
- ☐ Complete an Incident Report listing the suspect, circumstances of the incident, and the date and time of the wanted check

If a full-custody arrest is not warranted and the suspect is a juvenile, the transporting officer will:

- ☐ Obtain supervisory concurrence
- ☐ Comply with applicable provisions of VOL. II, CH. 33. JUVENILE PROCEDURES, section 14. Taking Juveniles Into Custody Without Formal Charges and/or section 12. Youth Field Report (J-2)

Warrantless Arrest for Domestic Violence

The Maryland Criminal Procedure Article provides warrantless arrest authority when an officer has probable cause to believe:

- ☐ The victim is the perpetrator's spouse or cohabitant, and
- ☐ There is evidence of physical injury

And, unless the perpetrator is immediately arrested, may:

- ☐ Not be apprehended
- ☐ Cause further injury to the victim or others
- ☐ Cause further damage to the victim's property
- ☐ Tamper with, dispose of, or destroy evidence

These conditions justify a warrantless arrest as long as a police report was made within 48 hours of the alleged incident.

In such cases, a warrantless arrest should be made. Officers will use professional judgment in deciding whether to arrest. When the above requirements have been met, the preferred response of the CPD is to make an arrest.

Upon making a warrantless arrest, victims shall be

advised to contact the Office of the State's Attorney, Domestic Violence Unit, to obtain information regarding the criminal justice system and identify available support services.

Amendment to Title 18, United States Code, Gun Control Act of 1968

This amendment makes it unlawful for any individual convicted of a misdemeanor crime of domestic violence to ship, transport, possess or receive firearms or ammunition.

It also makes it unlawful for any individual to sell or otherwise dispose of a firearm or ammunition to any one the individual knows or believes has been convicted of such a misdemeanor. This act also applies to all law enforcement officers.

This is true whether or not the state statute or local ordinance specifically defines the offense as a domestic violence misdemeanor.

Arrests for Violation of Protective Orders

The following violations of protective orders are misdemeanors under Title 4, Subtitle 5, of the Family Law Article:

- ☐ Abusing or threatening the petitioner
- ☐ Contacting or harassing the petitioner
- ☐ Refusing to vacate or stay away from the petitioner's or family member's residence, school, place of employment, temporary residence, and all surrounding areas

Officers shall arrest, with or without a warrant, an individual whom the officer has probable cause to believe is in violation of a protective order, even if the violation occurs with the petitioner's consent. A full custody arrest shall be made for such violations.

Violations of other conditions of a protective order are not misdemeanors and therefore are not enforceable by an officer. The officer should refer the petitioner to the court for relief. ***See: VOL. II, CH. 20. DOMESTIC VIOLENCE STALKING & HARASSMENT***

5. Handcuffing Arrestees

All persons taken into custody shall be handcuffed, except as noted. The arrestee shall be secured with his or her hands behind his or her back or in front with the handcuff chain passed through the belt. Handcuffs shall always be double-locked unless circumstances require immediate transport of the arrestee.

The handcuffing of disabled or injured persons is discretionary, based on mobility of the individual and apparent escape potential.

Whenever officers elect not to employ a restraining device, they may enlist the assistance of other officers for added safety.

Uncertainty surrounding particular situations shall be resolved by the use of a restraining device.

Handcuffing Sick or Injured Persons

When transporting sick or injured arrestees, the decision to handcuff shall be based on the type of injury, demeanor of arrestee, and safety considerations. When restraining devices could aggravate an injury, officers may use another method of restraint or secure method of transport.

When transporting a suspected mentally ill individual, an appropriate restraining device shall be used. Violent arrestees may be handled and secured in the safest and most expeditious manner possible.

Certain Types of Restraint Prohibited

To minimize the chances of positional restraint asphyxia, arrestees will not be "hog-tied" or restrained in a manner that increases the possibility of positional restraint asphyxia. The chances of positional restraint asphyxia increase when:

- ☐ The restrained individual's normal breathing is affected, such as when the subject is restrained face up or face down with pressure on the back or chest
- ☐ The restrained individual violently struggles against officers' restraint attempts, thus tiring the respiratory muscles
- ☐ The restrained individual is intoxicated by CDS or alcohol

- ☐ Chemical agents such as OC Spray are deployed and affect normal breathing

Handcuffing Without Full-Custody Arrest

The use of handcuffs is generally restricted to instances where a crime has occurred, or the officer has probable cause to believe a crime has occurred, and a full-custody arrest takes place.

When an officer has articulable suspicion that an individual is involved in criminal activity, the officer may use handcuffs to briefly detain the individual for questioning without making a full-custody arrest.

Handcuffing alone does not constitute a use of force or an arrest. Instead, the following factors determine arrest status:

- ☐ Length of the detention
- ☐ Investigative activities during the detention
- ☐ Whether the suspect is removed to a detention or interrogation area

When investigative measures fail to establish probable cause for an arrest, the officer shall immediately remove the restraints. The officer shall provide persons who are handcuffed, but not arrested, an explanation for the handcuffing.

A use of force review is not required when:

- ☐ A full custody arrest is made and transport occurs, but the subject is released without being charged, i.e. handcuffed and released
- ☐ An individual is handcuffed for officer safety and released

Handcuff and release incidents shall be documented on a CIR Report that details the circumstances of the incident and submitted prior to the end of the current tour of duty.

6. Arrestee Transport

Searches of Transport Vehicle

For officer and arrestee safety and security, the transporting officer shall inspect the seating areas of the transport vehicle. This shall be done at the beginning of each tour of duty, and before and

after the transport of an arrestee or civilian passenger. If off-duty, the vehicle shall be inspected before and after the transport.

Non-Invasive Searches & Transport of Arrestee by Arresting Officer

Absent a threat of imminent serious bodily injury to the officer or others, the custody officer shall handcuff and search an arrestee before transport.

If the search reveals any weapons, evidence, contraband, or items that could injure an individual or aid in their escape, the officer shall secure them. The transporting officer shall ensure that these items are secured in the trunk.

Exigent circumstances, such as an unruly crowd, may interrupt the search. If an individual must be transported from an arrest location without being searched, the transporting officer shall transport the arrestee to the nearest safe location where they can conduct a search.

The officer shall then search the arrestee and the immediate area of the transport vehicle where the arrestee is seated. Absent exigent circumstances, these types of searches shall be generally performed by officers of the same sex. The arrestee shall then be immediately transported to a processing facility.

Upon arrival at the processing facility, each officer who accepts custody of an arrestee will search that arrestee again.

7. Searches & Transports by Officers

Searches

Transporting officers shall search arrestees coming into their custody, regardless of whether they had been previously searched. If possible, transporting officers will be the same sex as the arrestees. For female arrests, male officers will determine if a female officer is available to respond to the scene to make the transport. The reverse is true for male arrests by female officers.

Officers shall not delay transport solely to provide this arrangement. Supervisors shall balance the propriety of such arrangements against staffing

considerations and workload at time of transport.

Strip/Squat Searches

Strip/squat searches require the approval of a supervisor the rank of Sergeant or above.

Strip/squat searches will be conducted professionally and efficiently. They will be conducted in a private area within a processing facility that cannot be observed by persons not involved in the search.

Strip/squat searches will be conducted and witnessed by officers of the same sex as the arrestee. The minimum number of officers necessary to safely accomplish the search will conduct these searches. Civilian personnel will not be used to conduct, assist, or witness a strip/squat search.

A strip/squat search may be approved when the arrestee is the subject of a full custody arrest and the officer has reasonable suspicion, based on articulable facts that the arrestee is concealing:

- ☐ A weapon
- ☐ Implements to facilitate an escape
- ☐ Contraband, evidence, or fruits of a crime

Strip/squat searches shall not be conducted on persons contacted during routine field interviews or stop and frisk situations.

If potential evidence is observed protruding from a body orifice, the search will immediately cease and the arrestee shall be brought to a hospital for removal of the evidence. Such removal constitutes a body cavity search and the procedures in this chapter governing ***Body Cavity Searches*** shall be followed.

If exigent circumstances exist and the safety of officers or others is threatened, a strip/squat search may be conducted before transport. Before this search, officers must get approval from a CPD commissioned officer. If a CPD commissioned officer is not available, a PGPD commissioned officer will be requested for approval. CPD Commissioned officers shall only approve exceptions when failure to conduct the strip/squat search before transport would place officers,

citizens, or suspects in imminent danger.

The approving commissioner officer will ensure that a full custody arrest was made, prior to granting the exception.

The custody officer shall write "STRIP/SQUAT SEARCH" in the TYPE OF INCIDENT block on the CIR. This report will include the following information:

- ☐ The reason or basis for the search
- ☐ A complete inventory of the items found
- ☐ The name of the officer conducting the search
- ☐ The name of the officer witnessing the search and the facility where it was conducted

The supervisor who authorized the search will sign the appropriate approval blocks on the Incident Report and the CIR.

Body Cavity Searches

Officers will not conduct body cavity searches. When potential evidence is protruding from a body orifice during a strip/squat search, the search will immediately cease and the arrestee shall be transported to the closest designated hospital in Prince George's County.

Body cavity searches shall only be conducted by trained medical personnel. The arrestee must be the subject of a full custody arrest and the officer must have reasonable suspicion, based on articulable facts, that the arrestee is concealing any of the following within the arrestee's body:

- ☐ A weapon
- ☐ Implements to facilitate an escape
- ☐ Contraband, evidence or fruits of a crime

Body cavity searches may be conducted incident to a lawful arrest or pursuant to a search warrant. Body cavity searches may be conducted without a search warrant only when the intrusion is minimal. An Assistant State's Attorney (ASA) should be consulted, if time permits, before a body cavity search is made incident to an arrest.

Searches more than minimally intrusive or those involving a high level of privacy require search warrants. Courts have ruled the reasonableness of

any body cavity search will be decided by weighing the individual's privacy interests against the State's interest in conducting the search. Arrestees transported in cruisers shall be secured with the vehicle's safety belts and they shall be segregated from public contact during transport.

Post Arrest

Arrestees shall be removed from the arrest scene without unnecessary delay and transported directly to the appropriate facility (i.e., police, processing, or hospital). Partially or fully disrobed arrestees shall be removed from the public's view and covered before transport. Disrobed arrestees will not be placed in a transport vehicle with arrestees of the opposite sex.

Officers shall not transport juveniles with adults, or males with females unless no other transport vehicle is available. Officers may transport arrestees in this manner when the arrests are a part of the same incident.

Officers will transport juvenile status offenders and non-offenders separately from juvenile delinquent offenders and adult arrestees.

Transports

The primary transport vehicle for use during normal operations is the cruiser.

One officer may transport one arrestee, who will occupy the right front seat. For vehicles equipped with transport partitions, arrestees will occupy the right rear seat.

With two officers aboard, the passenger officer shall sit behind the driver and the arrestee will occupy the right rear seat. If transporting two arrestees, one arrestee will be placed in the right rear seat; a second arrestee shall occupy the right front seat. For vehicles equipped with transport partitions, both officers shall sit in the front compartment. If there are two arrestees, both will sit behind the partition. Disorderly or violent arrestees shall be transported by two officers when possible.

Informing PSC of Transport

When an officer begins an arrestee transport, they shall transmit their mileage and destination to the dispatcher. Upon arrival at the destination, the officer shall transmit "ARRIVAL," followed by the odometer reading. The dispatcher will acknowledge the officer with a time check. Officers will advise the dispatcher whenever a transport is interrupted and again when it is resumed giving destination and mileage each time.

Security During Transport

Officers are responsible for the security and safety of arrestees in their custody. As such, they shall maintain visual contact with arrestees during transport. Officers shall not routinely divert or delay the transport of an arrestee.

Officers may take emergency police action when arrestees are aboard. Such circumstances include those where the safety of police officers or citizens is jeopardized. When emergency police action is taken, the transporting officer must ensure arrestee safety and minimize escape opportunity.

If an officer is involved in a transport outside Prince George's County, and the duration of such a transport warrants a meal stop, the officer shall select the meal site at random and shall not leave the arrestee unattended.

Essential Medications for Arrestee

Essential medications are those that prevent life-threatening conditions and are required to maintain an arrestee's functional stability. Officers shall comply with an arrestee's request to transport essential medications.

Transporting Sick or Injured Arrestees by Officers

Arrestees shall be transported to a hospital without delay and prior to being taken to a processing facility for processing when the arrestee:

- ☐ Exhibits erratic behavior
- ☐ Has an alleged or obvious injury
- ☐ Has ingested any non-food or non-prescribed substance immediately before arrest

Officers shall transport or shall ensure

transportation of arrestees to Prince George's Hospital Center (PGHC). If PGHC is not available the officer shall consult the supervisor for alternative hospitals.

Transport of Arrestee by Ambulance

When arrestees are transported to a hospital by ambulance, an officer shall either follow the ambulance or accompany the arrestee in the ambulance. A decision to accompany arrestees in the ambulance may be based on the following considerations:

- ☐ Arrestee's temperament
- ☐ Whether the arrestee is ambulatory
- ☐ Arrestee's escape risk
- ☐ Desire of ambulance personnel

Arresting officers may request that arrestees be transported to a specific hospital, but Fire/EMS personnel have the final authority to determine the hospital.

Security Considerations at Hospitals

At any hospital the custody officer may seek the assistance of the facility's security personnel. For safety and security, they may secure firearms and weapons, and will comply with security procedures unique to the facility. When conflicts exist between such procedures and Departmental regulations, a police supervisor should be consulted.

When in a hospital outside the County or on a military reservation, the officer will contact security personnel to ensure that lawful custody is maintained.

In all cases, the custody officer in a hospital is responsible for security of the arrestee until formally transferred to another authority. The officer shall, at all times, remain with the arrestee, ensuring the arrestee's security until the transfer of custody to another officer or security personnel.

Hospital Records

Whenever an arrestee is taken to a hospital for treatment, the transporting officer will:

- ☐ Provide the admitting authority their name, ID number, agency name, CCN
- ☐ Request that the CCN be placed on their forms
- ☐ Provide the arrestee description and address information
- ☐ Provide notification that responsibility for payment of incurred expenses lies with the arrestee, not the Department

When the hospital's records are prepared for the arrestee, the officer shall request the patient instruction copy. This paper will accompany the arrestee when transferred to another authority or given to them when released from custody.

Arrestees Requiring Admission

When an arrestee requires immediate surgery, the custody officer will accompany them to the surgical suite and remain there until evidence has been removed and placed in the officer's custody.

When an arrestee is admitted to a hospital, the custody officer will immediately notify his or her supervisor. Security of the arrestee shall be maintained by the custody officer or a replacement officer, if necessary. Individuals arrested for violent or serious crimes will not be released from custody or left unattended at a hospital before a District Court Commissioner conducts an initial appearance hearing. When an officer requires the services of a District Court Commissioner away from the Commissioner's duty assignment, they shall comply with procedures of the District Court Administrative Judge.

When commitments are issued for arrestees at a hospital, the custody officer will notify the Prince George's County Department of Corrections (DOC) to arrange for transfer of custody.

Notifications & Commander's Information Report

Whenever an arrestee is taken to a hospital or is administered any pharmaceutical, the custody officer shall complete an Incident Report and a CIR. The narrative sections will contain:

- ☐ A summary of how the arrestee's injuries

were sustained

- ☐ Type of medical treatment given
- ☐ Disposition of the arrestee

Photographing Injured Arrestee

When an arrestee is injured, or if an arrestee alleges an injury by police, the officer shall photograph the arrestee. Photographs should be taken before and after the arrestee's injuries have been cleaned.

8. Transporting Arrestees By Aircraft *(49 Code of Federal Regulations 1544)*

Airline Authority Over Weapons & Arrestees

Airline officials have final authority regarding the transportation of weapons and arrestees aboard commercial aircraft. Officers will comply with airline requests or make alternative arrangements.

Notification Letter

Officers intending to transport arrestees via commercial aircraft will prepare a letter for the signature of the Chief of Police. The letter will include the following:

- ☐ Airline and flight number
- ☐ Name, rank and ID number of transporting officers
- ☐ Request to transport an arrestee
- ☐ Request for officers to be armed while traveling
- ☐ Verification phone number that is available 24 hours a day

If the airline cannot verify the officer's employment and authorization to travel while armed, then the officer will not be allowed on the aircraft or in any secure areas of the airport.

Identification & Authorization Requirements

The Federal Aviation Administration (FAA) requires officers traveling on official business to have their badge and photo identification in their possession at all times. Additionally, the original authorization letter, signed by the Chief of Police, will be required at various screening points and ticket counters at the airport.

Because the letter bearing the Chief's original signature is needed throughout the officer's travels, officers will show, but not relinquish, the original letter to ticket agents, airport security, baggage handlers, etc. Officers should make several photocopies of the original letter so that the copies can be given to persons after they view the original.

Preparation for Flight

Transporting officers will do the following when making a flight with an arrestee:

- ☐ Search the arrestee thoroughly before boarding the aircraft
- ☐ Contact airline security officials at least one hour before departure
- ☐ Introduce themselves to flight attendants
- ☐ Deplane after passengers
- ☐ Not carry OC spray aboard aircraft

Arrestee Security Aboard Aircraft

Between the time an officer and arrestee board the aircraft and the time they deplane, arrestees will be:

- ☐ Seated in the rear of the aircraft, away from the emergency exit or lounge area, with the officers seated between the arrestee and aisle
- ☐ Restrained at the officer's discretion or in accordance with respective airline policy
- ☐ Physically escorted at all times

Officers or arrestees will not consume alcoholic beverages.

Transporting Dangerous Arrestee

When transporting a dangerous arrestee, at least two officers will be required. No more than one dangerous arrestee will be transported on any single flight.

Transporting officers will determine if an arrestee is dangerous by considering their demeanor, past actions and propensity for violence.

Trouble Aboard Aircraft During Flight

In the event of trouble aboard the aircraft during

the transport, officers will take no action, except:

- ☐ When irreversible catastrophe is imminent
- ☐ When the officer's assistance is requested by the captain of the aircraft or a member of its crew

9. Arrestee Escapes

Officer's Responsibilities

In the event an arrestee escapes while being transported, the transporting officer shall immediately broadcast a comprehensive radio lookout with the following information:

- ☐ Exact location of escape and last known direction of travel
- ☐ Escapee's name and full physical and clothing description
- ☐ Purported dangerousness of the arrestee
- ☐ Nature of the offense for which the arrestee was being transported
- ☐ Possible destination information

The officer will determine if air support is warranted and will assist in the search effort.

Supervisor's Responsibilities

The responding supervisor shall:

- ☐ Define the scope of, and coordinate any search effort
- ☐ Ensure the custody officer's responsibilities have been carried out
- ☐ Notify PSC at termination of search or of an apprehension
- ☐ The CPD supervisor shall complete a CIR in reference to the escape incident

The scope of any search will be determined by examining the danger to the community, nature of the charge, and likelihood that the arrestee may be located later. The supervisor may decide against a comprehensive search in cases of arrestees charged with minor offenses. The decision shall be documented on the CIR.

For escapes that occur outside the Town, a CPD supervisor shall respond to the scene. The supervisor will ensure that:

- ☐ All possible cooperation is provided to the other agency
- ☐ The custody officer's responsibilities have been carried out
- ☐ Additional information is provided to the other agency as required

The supervisor will conduct an administrative investigation into the circumstances of the escape.

Required Reports

Among any other reports that may be necessary or required, the transporting officer shall complete and submit an Incident Report prior to the end of the watch. If the arrestee is apprehended as a result of follow-up action, a Continuation Report will be prepared.

10. Arrestee Processing Facilities

The CPD does not maintain arrestee processing or detainment facilities and detained adults shall not be transported to a CPD facility. In limited circumstances, juveniles arrested for minor offenses and who will be subsequently released to a parent or guardian may be transported to the police station for a period of time not to exceed three hours.

All CPD arrests other than described above will be processed normally at PGPD's District I central processing area. Officers taking an arrestee to the District I processing area, another DOC-operated regional processing facility, or juvenile processing center shall comply with the SOP for that facility. Only those rooms or areas designated specifically for processing detainees will be used.

Prior to entering any processing area or facility, officers shall ensure that their weapons are secured in the designated storage facilities.

When a temporary detention cell or interview room is used at a PGPD or other facility that is not DOC operated, the period of time that an arrestee shall be held without continuous control or supervision by CPD personnel shall not exceed two hours.

In all processing areas, males will be separated

from females, and juveniles from adults (unless the juvenile is being charged as an adult). Juveniles not being charged as adults should be transported to the PGPD Juvenile Processing Center. Juveniles to be charged as adults will be transported to one of the Regional Processing Centers.

Officers utilizing processing areas shall make themselves familiar with the fire evacuation routes and the location of the nearest fire extinguishers and fire alarms. Arresting officers and processing officers shall ensure that no detainees smoke or have in their possession any tobacco products, lighters and paraphernalia.

Criminal Arrests to be Processed

All full-custody adult criminal arrestees are to be fingerprinted and photographed.

Traffic Offenses to be Processed

Adults arrested for traffic charges are processed at the officer's discretion. Fingerprints are submitted without a PGID number on the PGPD Fingerprint Card.

Mug cameras may not be used to photograph adults arrested for traffic offenses, unless a PGID number has been assigned. Polaroid photos may be taken and retained by the officer.

Regional Processing Facility

On arrival at a regional processing facility, arresting or transporting officers are responsible for supervision and accountability of their arrestee until custody is relinquished to DOC personnel. After taking custody of the arrestee, DOC personnel will obtain fingerprints and photographs and check the wanted status of arrestees.

PGPD officers shall complete the charging documents, including the Arrest Record. Upon completion of the charging documents, DOC personnel will present the arrestee to a District Court Commissioner.

Security & Control

All arrestees will be searched before entering a

District Station or DOC operated processing facility.

For accountability purposes, the name of the DOC officer accepting custody will be obtained by the arresting or transporting officer and reflected in the Arrest Record.

Temporary Detention/Processing Facilities in other Police Facilities

For officer safety and to minimize escape opportunities, officers utilizing temporary detention areas, processing rooms, or cells are responsible for the supervision and accountability of their detainee. Prior to entering the facility, the arresting or transporting officer shall ensure that the detainee has been searched.

Officers shall adhere to the direction of any personnel staffing the facility. In addition, processing officers shall check and ensure that all doors leading to the outside of the facility are secure and prevent unauthorized persons from entering or exiting. Anyone discovering a situation that could potentially threaten the security of a facility shall immediately report the situation to a facility supervisor, or in the case of the Regional Juvenile Processing Center, to an on-duty processing center officer.

Per PGPD regulations, all arrestees will be searched before entering a District Station or DOC operated processing facility.

In addition to any safety precautions required by the District station processing areas SOP, prior to entering the processing area, the arresting officer shall ensure that the station's front desk clerk is notified that he or she is in the processing area and that they will, at minimum, be visually monitored by closed-circuit television (CCTV). In order to summon assistance, officers will either:

- ☐ Possess a police radio, or
- ☐ Use the emergency (red) phone, a direct line to the PSC supervisor (for Signal 13 purposes, knocking the phone off the hook will result in officers being dispatched)
- ☐ For non-Signal 13 assistance (i.e., medical emergency or fire), officers utilizing the red phone will clearly state the nature of the

problem and the type of assistance needed

Supervision of arrestees is the responsibility of the CPD custody officer, unless turned over to DOC personnel.

Anytime a detainee occupies a room inside a district station processing area used for DUI chemical testing, the detainee shall never be left unattended, and shall always be under the direct supervision of an officer.

CPD custody officers will be alert for signs of altered consciousness or mental status deterioration. Any uncertainty regarding the arrestee's condition shall be resolved by summoning an ambulance. If necessary, have the individual transported to a hospital.

In processing facilities not operated by the DOC, CPD officers are responsible for the supervision and accountability of their arrestees. They shall ensure that access to water or restroom facilities is provided to an arrestee in a timely manner, keeping officer safety, facility security, and the detainee's well being in mind. Restroom breaks and the provision of water or any meals shall be documented on the DOC Detainee Processing Log sheet in the area where 30-minute checks are listed.

Removing Restraints at District Station Processing Area & DOC

Persons brought into processing areas shall be under control at all times, in accordance with the provisions of this directive and the SOP for the respective police facility. CPD officers will not remove restraining devices from arrestees until they are placed into a cell or they are ready to be processed. Detainees will not be secured or locked into any area or room not specifically designated for processing. If an arrestee is placed in a temporary detention cell, interview room, or processing area by a CPD officer and the removal of one of the handcuffs is necessary, that handcuff shall only be secured to an immovable object designed and intended for such use (i.e., handcuff ring, processing bench). Officers will not remove restraints from arrestees while at a DOC regional processing facility. This will be the responsibility of the DOC officer.

Arrestee Property & Accountability

All property will be removed from arrestees except the following:

- ☐ Clothing being worn (belts and ties removed)
- ☐ Shoes (laces removed)
- ☐ Eyeglasses/contact lenses

An itemized inventory will be made of any property taken from an arrestee on a Prisoner Property Form. When conducting an inventory of an arrestee's money or valuables, the form will be signed by a witness. The property and the Prisoner Property Form will be placed in an evidence bag, which will be kept in a secure storage area. The arrestee's property will be the responsibility of the CPD arresting officer or custody officer pending arrestee disposition.

When arrestees are in possession of large amounts of personal property or perishable food products that won't be accepted at DOC, attempts shall be made to contact a relative or friend to take possession of the property. The method of notification and whether or not it was successful should be noted in the Incident Report. If no one can take custody of the property, the arresting officer shall place the items in the property room.

Whenever arrestees are transported from a temporary detention facility to a regional processing facility, the appropriate paperwork shall accompany the arrestee. This includes medical releases, commitment orders and charging documents.

After completion of the PGPD Detainee Log Sheet, the CPD custody officer will search the arrestee's property for photographic identification. The identification should be kept with the arrestee's personal property so that the arrestee can be positively identified upon release or transfer. If no photographic identification is found, the custody officer will take a Polaroid photo. The arrestee's name, date of birth, CCN, and arrest number will be placed on the back of the photo. The arresting officer may retain the Polaroid for court identification purposes.

Safety & Security Checks of Cells or Rooms at District Stations

Before and after placing an arrestee into a cell or interview room at a District Station that is not a regional processing facility, the CPD custody officer shall conduct a check for weapons, contraband, and evidence. Any weapons, contraband or evidence found will be reported to the appropriate PGPD or DOC supervisor. A Property Record shall be completed and the items placed in property.

Arrestees Requiring Special Handling

Juvenile offenders shall not be held in secure custody for longer than six hours. This time period begins when the juvenile enters a secure facility and ends when the juvenile is either released or transferred to another authority. If this six-hour limit is exceeded for any reason, the custody officer shall notify a supervisor, who shall forward a memorandum to the Patrol Commander. The memorandum, intended solely to facilitate legally mandated statistical reporting, shall document the juvenile's identity and the reasons why the time limit was exceeded.

Juvenile delinquent offenders held in secure custody at a District Station shall be completely separated by sight and sound from adult offenders.

CPD officers shall ensure that juvenile status offenders and juvenile non-offenders are not housed in secure detainee processing areas. The CPD custody officer shall maintain constant supervision of such offenders until their release to parents, guardians or other authority. Juvenile felony offenders charged as adults shall be processed and detained as adult offenders.

Female arrestees shall be separated by sight and sound from male offenders while in cells, and at other times when not under the continuous supervision and control of an officer.

When processing an arrestee at a PGPD District Station, officers shall ensure that arrestees have access to a toilet, washbasin and drinking water.

Arrestees under the influence of alcohol or other drugs, or who are violent or self destructive, shall

be segregated from other arrestees. They shall remain under close observation to minimize the potential for injury to themselves or others. If an arrestee's condition deteriorates; the custody officers shall summon an ambulance, and, if necessary, provide for removal to a hospital.

When an officer becomes aware that an arrestee is suicidal, is an escape risk, or is otherwise a security threat, he or she shall inform the officer to whom custody is relinquished. The officer relinquishing custody shall request the District Court Commissioner and/or physician be advised so that the information can be included with the custody documents. Officers shall include this information on the Incident Report.

Medical Treatment for Arrestees & Administering Pharmaceuticals

Pharmaceuticals (prescribed drugs and non-prescription legal drugs) shall be taken from arrestees, listed on a Prisoner Property Form and stored with the arrestee's other property.

When an arrestee exhibits abnormal behavior or physical signs that could be related to the deprivation of pharmaceuticals, the custody officer shall immediately request an ambulance. If the arrestee has prescribed medication for specific, life-threatening conditions, such as chest pains, asthma, or other serious medical condition, the officer may allow the arrestee to take a dose of that medication while awaiting the arrival of the ambulance.

The officer shall first read the medicines instructions to ensure that the arrestee takes the correct dosage. The remaining medication shall be turned over to ambulance personnel. In all other cases, officers shall not administer any medication to an arrestee.

Processing Arrestees Infected With AIDS

Known infected arrestees shall be isolated from other arrestees if their behavior is violent, unpredictable, or they are unable to control body fluids. If the arrestee is transferred, the custody officer shall notify the receiving agency before the transfer that the arrestee has an infectious disease. This notification shall be restricted to those with a

need to know and shall be documented in the narrative section of the appropriate report.

Respecting Arrestee's Privacy

A CPD officer may supervise arrestees of the opposite sex. Unless an arrestee is suicidal or a security risk, the officer shall respect the privacy of arrestees using toilet facilities or attending to other personal needs. If audio/visual monitors are used in cells with toilet facilities, such monitors shall be controlled to ensure the arrestee's privacy.

Telephone Access by Arrestees

Generally, arrestees may be allowed to call a family member, attorney, or bail bondsman. However, telephone usage by arrestees shall be at the discretion of the custody officer and the regulations of the facility.

Efforts shall be made to ensure privacy in contacts between arrestees and their attorneys. An arrestee's opportunity to make bail is not to be impeded.

Arrestee Visits

The CPD custody officer may authorize arrestee visitation. The visits shall be limited to those persons having an immediate need, such as a bondsman or attorney. Visitor information shall be documented in the Incident or Continuation Report, and in any Visitor Log maintained. All visitors shall be searched.

The CPD custody officer shall inspect all incoming items intended for the arrestee. The custody officer will intercept any cash, negotiable instruments, and contraband. Any property not deemed contraband, received from visitors will be receipted, added to the arrestee's property record, and secured with the prisoner's other property.

Any items that are determined to be a safety threat will be seized, noted on a Property Record and placed in Property.

Fire Evacuation, and Fire Suppression for District Station Temporary Detention/Processing Areas

In accordance with most state laws, and

specifically Prince George's County law, smoking is not permitted in any public building. Prior to entering a processing area, all detainees will be searched and any property taken from them and properly stored.

In the event of an evacuation from a processing area, the CPD custody officer shall maintain custody of his or her prisoner to the extent possible in order to conform to the facility's regulations concerning evacuation. For non-bomb-related evacuations of employees and detainees, upon activation of the alarm, all personnel shall evacuate the facility in adherence with the emergency evacuation map. Personnel shall then proceed to a staging area.

During the evacuation and in any staging area, all detainees must be secured and closely supervised. If possible, detainees should be transported to another District Station, one of the Regional Processing Centers, or, in the case of a juvenile, the Juvenile Regional Processing Center.

In the event of an actual fire, CPD officers are not expected to engage in fire suppression activities or fight fires within the facility. However, they are expected to be familiar with the basic operation of fire extinguishers, in accordance with their level of training and the activation of appropriate alarm systems.

Charging Documents, Adult Arrests

The arresting officer is responsible for ensuring that all documents related to the arrest are completed and submitted to a supervisor for approval.

The charging officer will complete the following documents, which are used by the District Court to track adult arrest information:

- ☐ Application for Statement of Charges
- ☐ Statement of Charges
- ☐ Statement of Probable Cause
- ☐ Request for Witness Summons

Tracking Number Labels

Tracking number labels are affixed to the statement of charges and District processing form.

Obtaining Arrest Number

Arrest numbers are issued for all arrestees charged as adults. They are obtained from the PGPD's Records Section, Criminal Arrest Unit. When the PGPD Records Section is closed, officers shall use a PGPD fingerprint card with a pre-printed arrest number. Arrestees charged as juveniles are not assigned arrest numbers. The arrest number shall be recorded in the following locations:

- ☐ Arrest Report - Directly above the CCN block
- ☐ Statement of Charges form - Under AR

Identification Numbers

A PGID number shall be assigned to all arrestees for whom an Arrest Report is completed. Officers shall obtain the number from the Criminal Arrest Unit during business hours. When that unit is closed, officers will initiate a PGID number check through the 'Arrest by Name Index System' in the LAN connected computer.

If the offender is charged as an adult and a PGID number has been previously assigned, officers shall use a PGPD fingerprint card with a blank ID number block and a preprinted arrest number.

If a PGID number has not been previously assigned and the PGPD Records Section is closed, officers shall use a PGPD fingerprint card pre-printed with PGID and arrest numbers. Juveniles are required to have a PGID number when an Arrest Report is written or when they are fingerprinted and photographed.

If the offender is charged as a juvenile and a PGID number has been previously assigned, officers shall use a PGPD fingerprint card with a blank ID number block. If a PGID number does not exist, officers shall use a PGPD fingerprint card with a pre-printed PGID number. Officers shall record the ID number in the locations below:

- ☐ Arrest Report - In block #5
- ☐ PGPD Fingerprint Card - In 'Number' block
- ☐ Statement of Charges form - In the 'OCA' block

Obtaining Court Identification Numbers

The Court Identification Number is also known as the X number. Officers shall initiate a check of adult arrests in the Adult Case Management System (QURY) through a PGPD LAN connected computer. If an arrestee has more than one Court ID Number, the number with the lowest numerical value shall be selected. Unless previously charged as adults, juveniles will not have a Court ID Number.

Officers will record the Court Identification Number in the ID Number block in the defendant section of the Statement of Charges and Statement of Probable Cause.

If the Court Identification Number cannot be found or the CJIS computer is unavailable, leave the ID number space blank.

Federal Bureau of Investigation (FBI) Records

The FBI criminal records history shall be obtained through NCIC via a CJIS terminal. Officers will not directly telephone the FBI.

Metropolitan Police Department (MPDC) Records Check

Information may be obtained by calling the Criminal History Section, Identification and Records Division, MPDC.

Obtaining NCIC Check for Commissioners

Arresting officers shall initiate computer checks on arrival at the processing site to avoid delays caused by slow system response. They will ensure the following checks are performed for all full-custody criminal arrests:

- ☐ NCIC check for wanted status
- ☐ NCIC check for criminal history via CCH summary
- ☐ Adult court record check

A paper copy of these checks shall be provided to the Commissioner at time of presentment.

If NCIC checks are unavailable, officers shall give the commissioner a Report of Unavailability of NCIC Record Check.

Check for Wanted via Office of the Sheriff for Prince George's County (OSPG)

Officers shall conduct an OSPG wanted check through a CJIS terminal for each arrestee. If the system is out of service, the officer shall directly contact OSPG.

Index Print on Arrest Report

Whenever an Arrest Report is completed at a police facility, the arrestee's right index fingerprint will be rolled in the space provided. When not done, a short explanation will be placed in the same box.

Fingerprinting Adult Arrests

Adult arrestees will be fingerprinted on the following:

- ☐ Prince George's County Card
- ☐ FBI Card
- ☐ Maryland State Card

Arrestees will be requested to sign the fingerprint card. If the arrestee refuses to sign the card; the printing officer will enter REFUSED in the signature block.

Officers printing arrestees shall sign all fingerprint cards, placing their name, rank and ID number in the spaces provided.

PGPD Fingerprint Card

The printing officer will complete all blocks that require arrestee information. The palm prints will be placed on the reverse of the PGPD card.

Maryland State Fingerprint Card

The printing officer will ensure that the tracking label from the charging document that includes the arrestee's name, primary charge, and related cases, is affixed to the front top of the card.

The printing officer will ensure a tracking number label is placed in the top block on the reverse of the card. If additional charging documents are used, a tracking label from those documents will

be affixed in the blocks for additional arrest labels. Officers will not affix these labels to the print card until fingerprinting has been completed.

Additionally, officers will complete all non-shaded blocks on the rear of the card in accordance with the Maryland Automated Fingerprint Identification System (MAFIS) Manual. Officers will ensure that the OCA number (PGID), FBI number, ORI number and the agency name blocks are completed on the back of the card.

If an arrestee in police custody has more than four Statement of Charges forms, the printing officer will complete the State Supplemental Arrest Information Card (CJIS-006).

FBI Fingerprint Card

The printing officer will complete all blocks that require arrestee information to include the State and FBI number if available.

Crippled, Deformed, Injured, or Missing Fingers on Arrestees

If the arrestee has any crippled or deformed fingers, or any fingers that are cut, wounded or bandaged in such a way as to prevent successful taking of a fingerprint, the officer will not submit an FBI Fingerprint Card. PGPD and State cards will be completed with an explanation placed in the appropriate boxes as necessary.

If the arrestee is missing a finger, the officer will write either AMPUTATED or MISSING AT BIRTH in the appropriate box of the fingerprint card. If a portion of the first joint is missing, the remaining portion will be printed with the notation, "TIP AMPUTATED," made.

Submission of Fingerprint Cards to the Records Section

All fingerprint cards will be stapled to the Arrest Report before submission to the PGPD Records Section. In cases of traffic arrests, the fingerprint cards will be stapled to the citation.

Officers shall submit all fingerprint cards and the Processing Information Sheet before going off duty. Supervisors shall ensure that all cards are

completed correctly prior to being submitted to records.

Photographing Arrestees

If arrestees are to be photographed using the Departmental mug camera, officers will ensure that the placard displays the correct PGPD identification and arrestee numbers. A front photo and right profile photo will be taken of the arrestees' face.

Photographing Distinctive Marks

Arresting officers may photograph marks, scars or tattoos of an arrestee. Such photos may be attached to the Processing Information Sheet and forwarded to the Records Section with a notation placed on the reverse of the Processing Information Sheet.

Photographing Felony Arrestees

When an arrestee is charged with a felony, a photograph will be taken and forwarded to the appropriate District Investigative Section or CID supervisor. The following information will be placed on the reverse of the photo:

- ☐ Arrestee name
- ☐ Date
- ☐ Charge
- ☐ CCN
- ☐ PGID number

11. Uncooperative Arrestees

Arrestees Refusing to be Processed

When an arrestee refuses to be processed, the CPD officer shall note this on all reports and notify the Commissioner. Commissioners cannot make the completion of processing a condition for release.

If an officer believes an arrestee is attempting to avoid identification, the CPD officer may contact the on-duty Assistant State's Attorney (ASA). The ASA may decide to seek a court order requiring the arrestee to submit to processing.

When an arrestee refuses or is unable to provide information for the Arrest Report, the officer shall

note "REFUSED" or "UNABLE TO ANSWER" in the appropriate blocks.

Using an Alias to Identify an Arrestee

When an officer cannot establish an arrestee's identity, the arrestee shall be identified by an alias if possible. Officers should avoid the terms "John Doe" or "Jane Doe", unless no alternative exists. On the Statement of Probable Cause form, the officer shall state the reasons why the identity of the arrestee could not be established.

Follow-Up Responsibility of Arresting Officers

When an officer books an arrestee under an alias, the officer shall conduct a follow-up investigation and attempt to identify the arrestee. If the arrestee is not identified within 30 days, officers shall submit a Continuation Report detailing the attempts made, as well as the outcome and conclusion of the search.

If the officer develops additional information in the future, Continuation Reports shall be submitted as necessary.

Arrestee's Age Undetermined

When an officer cannot establish an arrestee's age, the arrestee shall be booked as an adult, unless the officer can assume by observation that the arrestee is a juvenile. When a juvenile is charged as an adult, and is later discovered to be a juvenile, the reporting officer will submit a Continuation Report.

Charging Adults on a Juvenile Petition

To constitute contributing to the delinquency of a minor, the adult must be contributing to the commission of an act by a minor, which would be unlawful even if the minor were an adult. The Office of the State's Attorney (OSA) must charge adults on a Juvenile Petition.

To constitute the offense of contributing to a child in need of supervision, the adult must be contributing to the commission of an act by a minor that is unlawful for juveniles only, such as, possession of alcoholic beverages, or curfew violations.

When an offender is able to provide identification, the officer will not arrest them unless other violations mandate an arrest. The officer shall obtain the offending adult's information and respond to the OSA, Juvenile Division, during normal business hours. The officer will complete an affidavit and the OSA will complete a petition. The adult will then be served.

If, however, the offender cannot be identified they will be arrested. The officer will complete an Arrest Report and Statement of Charges and present the suspect before a commissioner for bond review. The officer will respond to the OSA, during normal business hours, to complete an affidavit. The OSA will then complete a petition and the adult will be served.

Recording Multiple Victims or Suspects on Arrest Reports

The following guidelines will be followed when completing the arrest report:

- ☐ Multiple victims, one arrestee: Complete one Arrest Report with additional victims listed in the narrative
- ☐ Multiple arrestees, one victim: Complete a separate Arrest Report for each arrestee, using the same CCN for each report. Separate arrest numbers and I.D. numbers are needed for each defendant.

12. Preparing Arrests for Prosecution

Case Screening by OSA

Screening is necessary even though a preliminary hearing will be held. Failure to screen a case in a timely manner cannot be remedied by attending the preliminary hearing. If a felony charge is dismissed because of noncompliance with this subsection, the defendant may be recharged with supervisory approval.

To schedule a screening appointment, officers shall contact the Screening Division, OSA, within 72 hours after an arrest. Appointments shall be scheduled to occur within fourteen calendar days following the arrest. If the Screening Division cannot accommodate the fourteen-day limit, the

appointment shall be scheduled for the next available date. Field Training Officers shall accompany their recruit officers to all screening appointments.

Attorneys from the Screening Division screen arrests with CID on a regular basis. Officers assigned to investigative sections may use this option in lieu of scheduling an appointment. The case must be screened during the next available screening session at CID.

Defendants Charged as Adults

Cases will be screened as follows:

Felonies: Except as provided in the section below, ***Certain Cases Not Subject to Screening***, Assistant State's Attorney's will review all felony cases. The Homicide Division, OSA, will screen homicides and police shootings, the Criminal Trials Division, OSA, will screen other cases.

Serious Misdemeanors: Cases shall be screened through the OSA, District Court Division.

Fatal Motor Vehicle Accidents: Cases will be screened by the OSA, Criminal Trials Division.
Defendants Charged as Juveniles

Defendants Charged as Juveniles

The OSA, Juvenile Division screens felonies and serious misdemeanors.

Documents Required at Screening Appointment

The investigating officer shall give the screening attorney all documents except warrants and warrant copies.

Certain Cases Not Subject to Screening

The following felonies fall within the jurisdiction of the District Court and are excluded from the screening process:

Bad Checks: Section 8-103 of the Criminal Law Articles

Felony Theft Cases: When a felony theft case appears routine and supervisory approval has been

granted, the case need not be screened, but can be sent directly to the District Court.

Cases that require special attention or those cases when doubt exists about which way the officer should proceed shall be directed through the OSA, District Court Division.

To decide whether a case should be screened, officers shall consider:

- ☐ The defendant's criminal history
- ☐ The amount of money or property involved
- ☐ The complexity of the case
- ☐ Whether it is newsworthy

Multiple Cases, One Defendant

When an adult has committed numerous felonies, but is charged with only some of the crimes, the investigating officer shall notify the OSA of this fact at the time of screening, and supply them with the following:

- ☐ Copies of all Incident Reports
- ☐ All Documents as Required at Screening Appointment.

When an adult commits multiple misdemeanor offenses, which result in significant property loss or personal injury, the OSA District Court Division shall be notified. The officer shall supply the OSA with copies of all offense reports upon request.

When a juvenile commits multiple offenses, which results in property loss or personal injury, the Arrest Report shall be cross referenced by CCN to all incidents committed by the juvenile. Upon request, the officer shall supply the OSA with:

- ☐ Copies of all Incident Reports
- ☐ All Documents as Required at Screening Appointment.

13. Release or Transfer of Arrestees

Before an arrestee is released or transferred, CPD officers shall confirm the arrestee's identity by checking his or her identification or Polaroid photograph secured at the time of processing.

Arrestee Released From Police Custody

When an arrestee is released, the arrestee's personal property will be returned only if it is not contraband and its ownership is not in dispute. The arrestee will be requested to sign the PGPD Prisoner Property Form to acknowledge receipt. If the arrestee refuses to sign, the releasing officer shall write "REFUSED TO SIGN." The releasing officer will secure the signature of another employee, who will serve as a witness.

Arrestee Transferred to Other Custody

When an arrestee is transferred, the official accepting custody will sign the OFFICIAL ACCEPTING CUSTODY space of the Prisoner Property Form. The arrestee's property and a copy of the form will then be turned over to that official.

Arrestees transferred to the custody of the DOC will only be permitted the following items:

- ☐ Medications, glasses or dentures
- ☐ Address book or similar information
- ☐ Cash, checks or money orders
- ☐ Family pictures
- ☐ Legal papers
- ☐ Personal clothing worn at the time of the transfer
- ☐ Religious materials
- ☐ Wallets
- ☐ Jewelry

Any item not listed is prohibited and shall be submitted to the Property Section for safekeeping.

Arrestee Transferred from Detention Center

Officers removing arrestees from the DOC or other correctional facility are responsible for the custody, security, and safety of that arrestee.

Officers seeking temporary custody of an arrestee from DOC custody shall obtain a court order from the SAO. Once obtained, the officer shall fax a copy of the court order to the DOC Records Section and follow up with a telephone call. The DOC Records Section will arrange to have the arrestee prepared for transport. During non-business hours officers shall contact the DOC

Shift Commander.

Upon arrival at the facility to pick up the arrestee, officers will ensure that the arrestee is positively identified by checking the individual's identification, photograph, or with DOC staff.

During the transport, officer(s) will have a copy of the court order that authorized temporary custody, along with any other pertinent documents, such as a copy of an arrest warrant to be served on the individual.

When the arrestee is transported from or returned to DOC custody, officers shall ensure that information relating to the arrestee's escape or suicide potential, or other security concern, is recorded and included in the documentation that accompanies the arrestee.

Arrestee Transferred from Regional Processing Facilities

Officers shall ensure that arrestees are interviewed prior to being presented before a District Court Commissioner. Once a commissioner has committed an arrestee to DOC, officers must obtain a court order to remove the arrestee from a central processing or detainment facility.

VI. GOVERNING LEGISLATION & REFERENCE

Governing Legislation:

- ☐ Payton v. New York
- ☐ Maryland Criminal Procedure, Section 4-101
- ☐ Maryland Rules, Sections 4-102 and 4-202
- ☐ Maryland Criminal Law Article, Sections 10-1 13 through 10-1 16
- ☐ Maryland Education Article, Section 26103
- ☐ Title 18 USC 922 (G)(8) - Gun Control Act of 1968, Amended
- ☐ Family Law Article, Title 4, Subtitle 5
- ☐ Title 49, Code of Federal Regulations (CFR), Section 1544
- ☐ Title 28, Code of Federal Regulations (CFR) Section 31.304(i)

CHAPTER 6. BICYCLE PROCEDURES**I. POLICY**

Stolen or recovered bicycles shall be handled in accordance with the below procedures.

II. CHECKLIST (N/A)**III. DEFINITIONS (N/A)****IV. FORMS**

- ☐ Bicycle Registration
- ☐ Incident Report
- ☐ Property Record
- ☐ Recovered Property Letter

V. PROCEDURES**1. Bicycle Registration**

When a citizen requests to register a bicycle, an employee shall:

- ☐ Complete a Bicycle Registration form
- ☐ Issue a Registration Decal and a copy of the Bicycle Registration Form to the citizen
- ☐ Instruct the citizen to place the decal on the down tube of the bicycle
- ☐ Forward copies to the Police Secretary

The officer shall inform the citizen that the registration will be purged three years from the date of registration. Re-registration will be required upon expiration.

2. Reporting Stolen Bicycles

An officer receiving a complaint that a bicycle has been stolen shall complete an Incident Report. If the make and serial or permanent identifying number are known, the officer shall arrange for the bicycle information to be entered into NCIC. If entered into a computerized file, other identifying characteristics may also be included.

3. Recovering Stolen Bicycles

Officers shall check the stolen status of recovered bicycles by serial or other identifying numbers. If a bicycle registration sticker is attached, the

officer shall contact the issuing agency to determine ownership. If a CPD registration sticker is attached, the Police Secretary will be contacted.

Owner information, if available, will be placed on the Incident Report and Property Record. Recovery information shall be supplied to NCIC, if applicable. Officers shall notify the owner of a recovered bicycle in person, via telephone, or by mail.

4. Release of Bicycles

If the officer is able to contact the owner of a recovered bicycle and he lives in the Town. The officer may deliver it to the owner. The officer shall have the owner sign the back of the Property Record.

If the owner cannot be contacted or lives outside of the Town, the bicycle will be placed in storage.

VI. GOVERNING LEGISLATION & REFERENCE

CHAPTER 7. BOMB INCIDENTS

I. POLICY

Bomb incidents within the Town will be handled in coordination with PGPD and the Prince George's County Fire Department's (PGFD) Bomb Squad in accordance with the current Memorandum of Understanding (MOU).

Officers shall not attempt to open or move any suspicious packages.

CHAPTER 8. CALLS FOR SERVICE & ESCORTS

I. POLICY

The Department's goal is to respond quickly and safely to all calls for service. Employees shall drive with due care, exhibit exemplary driving behavior, and wear their seatbelts while operating Departmental vehicles. Employees shall respond to calls consistent with the provisions of this directive. Only vehicles equipped with emergency equipment shall operate priority.

II. CHECKLIST (N/A)

III. DEFINITIONS

Priority Response: When the driver of an emergency vehicle operates the vehicle with its emergency equipment (lights and siren) activated to respond to an emergency or pursue a violator /suspected violator of law; when operating priority, the driver of an emergency vehicle is authorized to disregard certain provisions of the Vehicle Law (pursuant to Section 21-106 of the Maryland Transportation Article)

Routine Response: A non-emergency response in which the operation of the police vehicle is in conformance with all traffic laws.

IV. FORMS (N/A)

V. PROCEDURES

Responses to calls for service are classified as priority or routine. The first officer on the scene of an incident will notify the dispatcher if a change in response classification is appropriate.

Employees who are advised to cancel their response shall do so immediately. Any employee unable to immediately notify the dispatcher of his or her presence on an incident scene shall do so as soon as practical.

1. Classifications & Dispatch Status

All life-threatening calls will receive a priority response classification and a primary dispatch status.

The following shall receive a priority response:

- ☐ Major incidents in-progress or that have just occurred
- ☐ Incidents when a suspect may be on the scene

Examples are: officer-in-trouble calls, homicides, robberies, sex offenses, suicides, and hit-and-run accidents with injuries.

Calls should not be held more than 30 minutes except in cases of operational necessity. The PSC supervisor may assign a unit from PGPD to handle a call for service in the Town when delays exceed 30 minutes or CPD officers are unavailable.

Employees receiving calls for service at the CPD station will prioritize the call based on the conversation with the complainant. If the employee has any doubt concerning the exigent nature of the incident, the doubt will be resolved in favor of the higher priority.

Initial Response to Priority Incidents

Primary units are those officers assigned to the call; their response shall be directed by PSC. Other employees will respond routine as backup, unless directed otherwise.

The first officer to arrive on scene shall immediately notify the dispatcher if changes in response classification or additional units are necessary. The dispatcher will determine which units will respond and their response classification.

When an on-scene officer advises that additional officers are not required, those officers shall not respond to the scene and will go in service.

Incidents Assigned Priority Response

Primary units assigned to the following incidents are authorized priority response, subject to the noted restrictions:

- ☐ **Signal 7A (Armed subject):** When a subject is threatening people with a weapon
- ☐ **Signal 9I (Traffic accident with injury):** To render emergency care

- ☐ **Signal 9F (Fatal accident):** To protect the scene and assist other victims
- ☐ **Signal 11I/11F (Hit and run traffic accidents with injury or fatality)**
- ☐ **Signal 13 (Officer in trouble):** Two primary units, and other nearby units within the sector, will be assigned
- ☐ **Signal 15 (Fights):** When weapons are involved
- ☐ **Signal 22 (Unknown trouble):** When information indicates a life-threatening incident may be occurring
- ☐ **Signal 64 (Homicide)**
- ☐ **Signal 65 (Sex Offenses):** When the incident is in progress or has recently occurred
- ☐ **Signal 66 (Suicide or Attempt):** When lifesaving techniques may be applied
- ☐ **Signal 71 (Domestic violence):** When weapons are involved or the offender is attempting entry by breaking and entering
- ☐ **Signal 78 (Burglar alarms):** When information indicates that a suspect is present
- ☐ **Signal 78 (Robbery/Hold-up alarms)**
- ☐ **Signal 84 (Robbery):** When the incident is in progress, has recently occurred, or when the suspects may be in the immediate vicinity
- ☐ **Signal 85 (Kidnapping):** When the incident is in progress or when directed by investigators
- ☐ **Signal 86 (Breaking and Entering):** When the incident is in progress, has recently occurred, or when the suspects may be in the immediate vicinity
- ☐ **Signal 90 (An individual possibly suffering from cocaine/drug-induced psychosis or excited delirium)**

2. Priority Response

(Transportation Article, Sections 21-106 & 21-405)

Although the Department does not place a speed restriction on employees when they are responding priority, it is vital that they arrive safely at the scene of an incident in order to render assistance. As a result, employees shall exercise due care and operate their vehicles in a reasonable manner.

Employees responding priority to an incident shall activate their emergency lights and siren. Employees operating priority shall consider the following when deciding whether or not certain

police privileges allowed during a priority response are applicable:

- ☐ The urgency of the incident
- ☐ Public and employee safety
- ☐ Environmental factors

Officers shall not deviate from provisions of the vehicle law beyond the extent necessary to respond safely to an incident, and are responsible for their actions.

Whenever any employee operates priority, he or she shall inform the dispatcher as soon as possible. Priority response may be initiated prior to notification if justified by the circumstances.

Employees responding priority shall not proceed through any intersection or against the direction of traffic signals or traffic control devices without first slowing or stopping. Employees shall ensure that they do not drive with reckless disregard for the safety of other road users. Employees shall ensure that they are in a clear position to see that no other vehicles or pedestrians will be encountered. Employees shall not enter any controlled intersection at a high rate of speed.

Under no circumstances shall an employee operate his or her vehicle at a speed so great as to render the vehicle uncontrollable, thereby endangering his or her life or the lives of others.

3. Escorts

The Patrol Commander must approve CPD personnel escorting funeral processions; dignitaries, VIPs, public officials; and oversized or HAZMAT carriers, and may approve other escorts.

Officers shall notify the dispatcher prior to commencing any escort.

Priority Response Escorts

Priority escorts of non-emergency vehicles are prohibited.

Any CPD supervisor may authorize a priority escort of emergency vehicles described in the Maryland Vehicle Law Section 11-118 or other

vehicles actively transporting lifesaving materials in emergencies.

VI. GOVERNING LEGISLATION & REFERENCE

Governing Legislation:

- ☐ Transportation Article, Sections 11-118, 19-103, 21-106 & 21-405
- ☐ Courts & Judicial Proceedings Article 5639
- ☐ Memorandum of Understanding (MOU) between the Town of Cheverly and Prince George's County for Jurisdictional Police Services (July 2008).

Reference:

- ☐ Court of Special Appeals ruling in the case of *Mayor and City Council of Baltimore v. Michael Lee Hart* (September 2005)

CHAPTER 9. CANINE ASSISTANCE

I. POLICY

The Cheverly Police Department does not maintain its own canines, but does routinely request canine teams from other agencies to assist its officers in the performance of their duties. Particular requests are enumerated within the current Memorandum of Understanding (MOU) between the CPD and PGPD, but other agencies may be utilized as appropriate. When utilized; canine teams will operate in accordance with constitutional provisions and federal, state, and local laws.

II. CHECKLIST (N/A)

III. DEFINITIONS

Apprehension: When a canine team is involved in an arrest, an apprehension is defined as follows:

- ☐ **Seizure:** When a canine makes physical contact with a subject
- ☐ **Non-Seizure:** When a canine's presence alone is instrumental in the arrest of a subject

Canine Handler: An officer who has been certified by a canine trainer to deploy and control a canine

Canine Team: A handler and his or her assigned canine that has been trained and certified to perform patrol and/or detection functions

Deployment: The use of a canine team to conduct a:

- ☐ **Search:** The use of a canine's senses (sight, sound, and/or smell) for the purposes of criminal apprehension, detection, or locating articles
- ☐ **Track:** The use of a canine's senses, predominately the sense of smell, in an attempt to locate an individual

Imminent Danger: Danger that is pending, although not necessarily immediate or instantaneous

Injury: Physical contact between a person and a

canine that results in a wound or puncture to the body

Trainer: A sworn police employee that is MPCTC certified as an instructor

IV. FORMS

- ☐ Commander's Information Report
- ☐ Incident Report

V. PROCEDURES

1. Deployment

Prior to requesting canine, a perimeter shall be established and maintained. Officers may request the services of a canine team without supervisory approval.

Upon arrival, the canine handler will decide whether or not to deploy the canine based on the totality of the circumstances, the capabilities of the canine, and the individual canine section's SOP. The canine handler can also determine whether or not to make a warning announcement based on his or her assessment of the tactical situation. Once deployed, the canine handler has general tactical control over the incident scene. All on-scene personnel shall adhere to the canine handler's direction.

When a conflict arises with an on-scene CPD supervisor regarding the deployment of canine, or when a supervisor's request conflicts with a particular agency's canine SOP, the handler shall not deploy the canine and shall immediately notify his or her supervisor. The canine supervisor will make the final decision. All CPD officers shall remember that cooperation is in the best interests of responsible law enforcement.

Instances Where Seizures Should Be Considered

- ☐ A suspect poses a risk of imminent danger to officers or others
- ☐ The suspect is actively eluding officers after having committed a serious crime
- ☐ Other reasonable alternatives to apprehend a suspect have been exhausted, or would clearly be ineffective under the circumstances

Additional situations for which canine deployment may be appropriate include, but are not limited to:

- ☐ Capture of non-compliant suspects who are armed or reasonably believed to be armed or pose a risk of imminent danger to officers or others
- ☐ Searches for suspects wanted for crimes such as assault, carjacking, murder, rape, and robbery
- ☐ Where deployment of a canine would maximize officer safety (i.e., searches that would normally be conducted without a canine)
- ☐ Building searches when the suspect is reasonably believed to be armed, suspected of violent offenses, and/or known to be violent
- ☐ Missing persons
- ☐ Detection searches

Canine teams shall not be requested to apprehend individuals who have only committed traffic offenses.

Generally, canines shall not be deployed in searches for known juvenile offenders or persons known or reasonably believed to be mentally ill.

The exception is if the individual is reasonably believed to have committed a crime of violence, is armed with a dangerous weapon, or poses a risk of imminent danger to officers or others.

2. Assistance by Patrol Officers

Before initiating any search or track, the canine handler should select a CPD patrol officer to assist the team as back up. Excluding exigent circumstances, the handler may request assistance from another member of his or her department or another canine handler.

The canine handler should brief the CPD officer regarding his or her responsibilities as back up, including but not limited to:

- ☐ Positioning with the team
- ☐ Providing cover
- ☐ Arrest procedures (including searches and handcuffing)
- ☐ Maintaining communications with the perimeter and dispatcher

If the canine team makes an apprehension without back up, CPD officers on the perimeter may be required to assist with the handcuffing of the suspect.

The handler can terminate the back-up officer's involvement in the search if the officer inhibits the performance of the canine team.

All prisoner processing and arrest procedures resulting from canine apprehensions shall be the responsibility of the CPD officer that requested canine assistance.

If a canine apprehension results in an injury, the arresting officer shall transport the injured person to a medical facility for treatment and complete a Commander's Information Report. The arresting officer shall be responsible for custody of the prisoner.

VI. GOVERNING LEGISLATION & REFERENCE

- ☐ Memorandum of Understanding (MOU) between the Town of Cheverly and Prince George's County for Jurisdictional Police Services (July 2008).

CHAPTER 10: CHILD ABUSE, CHILD NEGLECT, & VULNERABLE ADULTS

I. POLICY

Officers shall investigate reports of child abuse and neglect, and similar allegations involving vulnerable adults. They shall coordinate their efforts with the Prince George's County, Department of Social Services. Protection of the child or vulnerable adult is the primary goal in these cases.

In accordance with Maryland's Infant Safe Haven Law, it is the policy of the Department to provide a safe haven for newborn infants that have been abandoned. The Department shall involve and cooperate fully with the Department of Social Services to protect these children.

II. CHECKLIST (N/A)

III. DEFINITIONS

Abandoned Child: An individual under the age of 18 years of age that has been intentionally or unintentionally left by his or her parent(s), guardian, or custodian and lacks the proper care and attention required

Adult Protective Services (APS)- The division of the Prince George's County, Department of Social Services that is responsible for assisting vulnerable adults by providing services to protect their health, safety, and welfare

Child Protective Services (CPS): The division of the Prince George's County, Department of Social Services that is responsible for protecting children that appear to have been abused or neglected and assisting parents/guardians in providing proper care and attention to their children; CPS has the authority to remove a child from the home and place them in foster care

Developmental Disability: A chronic disability that is attributable to a physical or mental impairment as opposed to mental illness; for the purposes of this General Order, the disability must result in an inability to live independently

Designated Facility: *Per Maryland's Infant Safe Haven Law* - a hospital, State Police Barracks, or local police department

Exploitation: Any action that involves the misuse of the victim's funds, property, or person

Family Member: A relative by blood, adoption, or marriage

Household Member: A person who lives with or is a regular presence in the home at the time of the abuse

Mental Retardation: A developmental disability evidenced by significantly reduced intellectual functioning and impairment in the behavior of a person

Neglect: Willful deprivation of food, clothing, medical treatment, rehabilitative therapy, shelter, or supervision

Newborn: *Per Maryland's Infant Safe Haven Law* — an infant that is 10 days old or younger

Physical Abuse: The sustaining of physical injuries as the result of cruel or inhumane treatment or a malicious act

Responsible Adult: *Per Maryland's Infant Safe Haven Law*— an individual, 18 years of age or older, who may reasonably be expected to provide proper care to a newborn left in his or her custody and who is willing and able to immediately take the newborn to a designated facility

Self-Neglect: The inability of a vulnerable adult to provide for his or her physical and mental health

Unharmful: *Per Maryland's Infant Safe Haven Law* when there is no evidence of physical injury or failure to provide proper care and attention to a newborn

Vulnerable Adult: An adult, 18 years of age or older, who lacks the physical or mental capacity to provide for his or her daily needs

IV. FORMS

- ☐ Incident Report
- ☐ Commander's Information Report

V. PROCEDURES

1. Child Neglect Cases

Child neglect cases involve children in need of assistance or supervision when the parent /guardian is unable or unwilling to care for the child. Child neglect includes when a child is:

- ☐ Abandoned or unattended
- ☐ Without adequate supervision
- ☐ Suffering from malnutrition
- ☐ Without proper shelter
- ☐ Unlawfully kept out of school
- ☐ A chronic runaway or truant
- ☐ Emotionally disturbed due to domestic or mental health issues in the home

Juveniles who are runaways or truants may be victims of neglect. Under certain circumstances, neglect cases may rise to the level of criminal child abuse. Officers can obtain guidance concerning these matters from PGPD's Child and Vulnerable Adult Abuse Unit (CVAA).

Officer's Responsibilities

Officers responding to reports of child neglect shall:

- ☐ Notify and brief their supervisor prior to leaving the scene
- ☐ Notify Child Protective Services (CPS)
- ☐ Complete an Incident Report

Officers shall document the following in the report:

- ☐ The circumstances and conditions constituting neglect
- ☐ The source of the information, such as personal observations or statements made by the child, parent, or others
- ☐ The name of the CPS worker contacted and the date and time of the notification

The officer shall write "CPS" and "CVAA" in the COPY TO block of the Incident Report.

In cases involving abandoned/unattended children or children without adequate supervision, the officer shall contact CPS concerning placement of the child. The officer shall not place the child in the care or custody of individuals identifying themselves as neighbors, friends, or relatives unless authorized to do so by CPS.

Supervisors shall carefully review all cases involving children to ensure that CPS has been notified.

2. Child Abuse Cases

To classify an incident as child abuse, an injury must have occurred to the child. As these injuries may not be visible, guidance should be sought from CVAA.

In all cases, the officer shall:

- ☐ Notify and brief a supervisor prior to leaving the scene
- ☐ Determine if the situation warrants the immediate removal of the child; if removal of the child is necessary, reasonable force may be used
- ☐ Notify CPS
- ☐ Notify CVAA
- ☐ Complete an Incident Report

When completing the Incident Report, the officer shall:

- ☐ Write "CHILD ABUSE" in the TYPE OF INCIDENT block, and specify whether the abuse is sexual or physical
- ☐ Write "CPS" and "CVAA" in the COPY TO block of the Incident Report
- ☐ Document the date and time of the notifications to CVAA and CPS and the name of the individuals notified

Authority for Taking a Child into Custody

A child may be taken into custody:

- ☐ Pursuant to court order
- ☐ By a law enforcement officer pursuant to an arrest
- ☐ By a law enforcement officer who has

reasonable grounds to believe that the child is in immediate danger from his or her surroundings and removal is necessary for his or her protection

- ☐ By a law enforcement officer who has reasonable grounds to believe that the
- ☐ child has run away from his or her parents, guardian, or legal custodian

Assisting CPS with the Removal of a Child

CPS workers have legal authority to enter households and take custody of abused or neglected children. They may act before the issuance of any court orders. Normally, CPS does not require police assistance.

In cases when household occupants deny entry or when violence or physical resistance is anticipated, CPS may request police assistance. A supervisor shall authorize the assistance.

In most cases, the officer shall limit his or her actions to providing protection for the CPS workers as they perform their duties.

In cases where CPS requests an officer to force entry, he or she may do so if there is probable cause to believe that the child is in immediate danger, and entry has been or is being denied by household occupants.

An officer who forces entry under these circumstances shall notify a supervisor, and document his or her actions on an Incident Report. The circumstances that led the officer to force entry and the name of the CPS worker shall be included in the report. The officer shall write "ASSIST CPS" in the TYPE OF INCIDENT block and "CVAA" in the COPY TO block. ***See: VOL II CH 28. FORCED ENTRY, HAZARD, & NEXT-OF-KIN NOTIFICATIONS for additional procedures.***

An officer shall not assume custody of a child nor direct the CPS investigation.

3. Abandoned Children

An officer responding to the scene of an abandon child shall:

- ☐ Ensure that the child is transported to a medical facility for evaluation and treatment
- ☐ Notify a supervisor
- ☐ Complete an Incident Report prior to the end of watch; place "CPS" and "CVAA" in the COPY TO block
- ☐ Notify CVAA and document the notification on the Incident Report
- ☐ Notify CPS and document the notification on the Incident Report

The officer shall fax a copy of the Incident Report to CVAA prior to the end of watch.

Maryland's Infant Safe Haven Law

Maryland's Infant Safe Haven Law provides the mother of a newborn the opportunity to safely abandon her unharmed child within 10 days after the birth. A mother who does not express intent to reclaim the newborn shall be protected from criminal prosecution and civil liability as long as she takes the child to a designated facility or leaves the child with a responsible adult who is willing to accept the child. The child must be unharmed at the time of abandonment.

The responsible adult receiving a newborn must take the child to a designated facility as soon as possible.

Upon receiving an abandoned newborn, the designated facility is required to confirm that the individual abandoning the child is either the mother of the child or has the mother's authorization to relinquish the child.

Within 24 hours of receiving an abandoned newborn, the designated facility shall contact the Department of Social Services. The Department of Social Services is responsible for the long-term care of the child.

Newborn Brought to CPD Facility

Employees shall take custody of any newborn brought to a CPD facility to be relinquished in accordance with the Infant Safe Haven Law.

The newborn shall be closely examined to ensure the infant appears to be unharmed. An ambulance shall be requested to respond and transport the

newborn to a medical facility.

The employee shall make immediate notification to the following:

- ☐ A supervisor
- ☐ CVAA
- ☐ CPS

Reporting Requirements

The individual relinquishing the newborn is not required to answer any questions. However; the receiving employee shall make every effort to determine if the individual relinquishing the newborn is the child's mother or has the mother's authorization to relinquish the child. The employee shall also attempt to obtain information regarding the newborn's medical history or any known risk factors.

An Incident Report shall be completed when a child is relinquished under the Infant Safe Haven Law. The employee shall include the following information, if available:

- ☐ The identity of the individual relinquishing the child and his or her relationship to the child
- ☐ The identity of the child's parents
- ☐ The newborn's date of birth or age
- ☐ The newborn's place of birth
- ☐ Any known medical history
- ☐ The reason the newborn is being abandoned
- ☐ If possible, photographs should be taken of the child and attached to the Incident Report.

If possible, photographs shall be taken of the child and attached to the Incident Report.

A Commander's Information Report shall be completed for abandoned child cases. Copies of both the Incident Report and the CIR shall be forwarded to CVAA and the Youth and Family Services Division via fax prior to the end of watch. If fax equipment is inoperable, the copies may be sent via Departmental mail.

4. Vulnerable Adult Abuse Cases

Allegations of vulnerable adult abuse shall be investigated, and the investigations shall be

coordinated with Adult Protective Services (APS). An officer responding to a report of vulnerable adult abuse shall notify CVAA and APS.

The officer shall complete an Incident Report to include the following:

- ☐ The name and address of the person responsible for the care of the vulnerable adult
- ☐ The caregiver's relationship to the vulnerable adult
- ☐ The whereabouts of the vulnerable adult
- ☐ The nature of the vulnerable adult's incapacity
- ☐ A description of the abuse, neglect, self-neglect, or exploitation
- ☐ The name of the APS worker contacted and the date and time of the notification
- ☐ The name of the CVAA investigator contacted and the date and time of the notification

The officer shall write "CVS" and "CVAA" in the COPY TO block of the Incident Report.

The officer shall determine if the immediate removal of the vulnerable adult is necessary due to conditions that present a substantial risk of death or serious physical harm to the individual. If removal is necessary, the officer shall contact APS for assistance and placement of the vulnerable adult. CVAA may be contacted for guidance when dealing with these incidents.

Assisting Protective Services with the Removal of a Vulnerable Adult

If a representative of APS believes that the immediate removal of the vulnerable adult is necessary, he or she may request assistance from the Department. A supervisor shall authorize the assistance.

In most cases, the officer shall limit his or her actions to providing protection for the APS workers as they perform their duties.

In cases where APS requests an officer to force entry, he or she may do so if there is probable cause to believe that the vulnerable adult is in immediate danger, and entry has been or is being

denied by household occupants.

An officer who forces entry under these circumstances shall notify their supervisor, and document their actions on an Incident Report. The circumstances that led the officer to force entry and the name of the APS worker shall be included in the report. The officer shall write "ASSIST APS" in the TYPE OF INCIDENT block and "CVAA" in the COPY TO block. *See. VOL II, CH 28. FORCED ENTRY, HAZARD, & NEXT-OF-KIN NOTIFICATIONS* for additional procedures.

5. Child & Vulnerable Adult Abuse Unit

The Child and Vulnerable Adult Abuse Unit of PGPD investigates the following per the current Memorandum of Understanding (MOU) between the CPD and the PGPD:

- ☐ All physical and sexual abuse and exploitation where the victim is less than 18 years of age, and the suspect is a household or family member, *or* a custodial relationship exists between the suspect and victim
- ☐ All cases involving the physical or sexual abuse of vulnerable adults
- ☐ All cases of parental abduction and custody disputes that rise to the level of a criminal offense
- ☐ All cases of child abandonment

When a child dies or is likely to die as a result of suspected abuse, the PGPD Homicide Unit is responsible for the investigation. An officer responding to any child death (except traffic fatalities) shall contact the PGPD Homicide Unit immediately.

All sexual and physical assaults committed against children by household or family members or custodians shall be investigated by PGPD CID. Third and fourth degree sexual assaults committed by individuals other than those mentioned above will be investigated by the CPD.

VI. GOVERNING LEGISLATION & REFERENCE

Governing Legislation:

- ☐ Courts and Judicial Proceedings Article, § 5-641
- ☐ Code of Maryland Regulations (COMAR) 07.02.27.01, 07.02.27.02, and 07.02.27.03
- ☐ 42 USC 629a
- ☐ Memorandum of Understanding (MOU) between the Town of Cheverly and Prince George's County for Jurisdictional Police Services (July 2008)